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**INDIAN  
LAND SYSTEM  
AND  
LAND REFORMS**

**BY  
Bhowani Sen**

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## FOREWORD

The examination of the Indian land system and the critique of land reforms introduced by the Congress Government which have been undertaken by Comrade Bhowani Sen in this book should be of interest to the reader in the present context of the country-wide discussion which is now taking place on the Second Five-Year Plan.

For, despite the talk of "socialistic pattern of society", towards which the Second Five-Year Plan is supposed to be taking the country—despite the emphasis that is now being laid on the building of heavy industries, and that too in the public sector—the Plan, as well as the policies which are evolved in order to carry out the Plan, will be judged by one single test: How far do they help in re-organising the land relations, in breaking up the land monopoly of big landlords and distributing land among the landless and land-hungry peasants, in freeing the peasants and other sections of the rural poor from the clutches of the usurious moneylenders, in emancipating the whole rural economy from the enslaving grip of the world capitalist market?

Take, for example, the emphasis that is now being put on the building of heavy industries. This has been welcomed by all those who are interested in such a development of our economy as will free it from the imperialist grip. But the implementation of this proposal will immediately raise the question: What happens to the products of the newly-built heavy industries?

It may be that, in the first stages of building heavy industries, their products will be just sufficient to replace the



imports through which our existing requirements are now being met. But a stage is sure to be reached when they will produce so much capital goods that they can be absorbed only by the further development of light industries and mechanisation of agriculture. This in its turn, will raise the question: Where do their products go?

The question, therefore, turns ultimately to this: Is the programme of building heavy industries related to a programme of all-round development of industries and agriculture and, if so, is such a programme of all-round development related to a corresponding expansion of the home market? Furthermore, is such an expansion of the home market (indispensable if there is to be industrial expansion) possible without making fundamental changes in land relations?

Written as it was before the publication of the Plan-frame for the Second Five-Year Plan, this book does not examine how far this crucial question of the national economy is now being dealt with by our planning authorities. It, however, brings out the inseparable connection between industrial development on the one hand and the problems of land distribution, moneylending, conditions of tenants and agricultural labourers, etc., on the other. It thus leads us to the conclusion that, however welcome certain specific aspects of the proposed Second Five-Year Plan may be, the Plan as a whole cannot be considered a real people's plan unless it finds people's solutions for the problems of land and the peasantry.

**E. M. S. NAMBOODIRIPAD**

*New Delhi.*

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## *Chapter I*

### INDIAN LAND RELATIONS AT A GLANCE

#### 1. PAUPERISATION OF THE PEASANTRY

"Behind the varied systems of land tenures, agricultural conditions and practices prevalent in the different provinces, the agrarian economy of India today presents a remarkably uniform picture of inefficiency, low productivity and small units of production."

—so said the Congress Agrarian Reforms Committee of which Shri J. C. Kumarappa was the Chairman.

What does this mean in terms of the life of the peasantry?

Land is almost the sole source of the peasants' income, yet the majority of them have either no land or the holdings are so small and yield so little per acre that they live on the verge of pauperism.

No peasant family can thrive if its holding is below 5 acres, and the holdings of 59 per cent of the peasant families in the Indian Union are below 5 acres. According to the latest official enquiry, 30 per cent of the rural families are agricultural workers and 71 per cent of them are without any land. The number of agricultural workers' families is the highest in South India, being 50 per cent of the rural families.

Imagine, about half the population in the village are landless and are unemployed for half the year! There are 35 million agricultural workers of whom 85 per cent are casual and only 15 per cent are regularly employed!

And what about those who possess some holding and are

called occupancy ryots? Their holdings do not yield much, the yields do not fetch enough price and the landlord, the moneylender and the trader rob them not only of the profits but also of the wages of the whole family.

The sufferings of the Indian peasantry have reached such a limit that it is no longer possible for anyone to ignore them. The peasantry constitutes more than 70 per cent of the population and the pauperism of this huge mass of people means that an entire country is in the midst of a devastating crisis. The crisis of rural life has become a halter round the neck of the country's progress, both material and cultural.

That is the reason why the peasant has become the central figure in Indian politics. There is no political party or group which can ignore him. It is universally admitted that India's economic development is dependent upon, first of all, the upliftment of the peasantry.

The solution supposed to be adopted by the Congress Government has to be examined from one single standpoint, viz., how far it improves the material and cultural life of the peasants. The Congress Agrarian Reforms Committee itself set down the following four criteria for such an examination:

"(1) The agrarian economy should provide an opportunity for the development of the farmers' personality;

"(2) There should be no scope for exploitation of one class by another;

"(3) There should be maximum efficiency of production;

"(4) The scheme of reform should be within the realm of practicability." (p. 8)

The agrarian reforms of the Government are supposed to fulfil these aims.

Before we examine this proposition, the enquiry about the conditions of the peasantry must be carried further and a fair picture of our agriculture and land relations obtained.

Having studied the conditions of the peasants, the Census

Commissioner for India had drawn, *inter alia*, the following broad conclusions:

"1. During the twenty years following 1931, population grew faster than cultivation....

"2. Notwithstanding such decline in the area of cultivated land *per capita*, the relative weight of dependence on agriculture for gainful employment has not declined in the country as a whole. It is probable that it has increased slightly....

"3. The main reaction to this general decline in the area of cultivated land *per capita*, unaccompanied by a more than proportionate increase in non-agricultural employment, has been a general increase of non-earning dependency. The increase in absolute numbers of non-earning dependants has exceeded the entire increase of rural population in India, as well as in each of the five zones out of six....

"4. There has been a general increase throughout the country in the number of cultivators and cultivating labourers (including unpaid family helpers) working on the same area of cultivated land—say 100 acres....

"5. Material changes have occurred in the percentage of cultivating labourers to all workers in land (i.e., cultivating labourers and cultivators including their family helpers)....

"The fall in the percentage of cultivating labourers is the natural result of increase in the number of cultivators and members of their families occupying the same area of cultivated land. The cultivators' need for employing labourers diminishes, as also their capacity to pay for their services." (*Census of India*, 1951, Vol. I, Part I A, pp. 154-55.)

In short, in the course of the preceding three decades, land *per capita* has declined and this decline is not compensated either by increase of productivity of land or by the growth of industrial employment. On the contrary, the productivity of land has declined and the pressure of population on agriculture has increased, thanks to the perpetuation of industrial backwardness. The result is that the decline in *per capita* cultivated land becomes a source of impoverishment of the masses.

The following table illustrates the decline of cultivated land *per capita*:

TABLE I

<i>Census year</i>	<i>Area of cultivated land per capita (in cents)*</i>	
1891	..	109
1901	..	103
1911	..	109
1921	..	111
1931	..	104
1941	..	94
1951	..	84

(*Ibid.*, p. 141)

Since 1921, the figure has dropped down from 111 to 84, or, in other words, a drop by about 25 per cent in the course of 30 years. It is a measure of the absolute lowering of the purchasing power of the masses.

In a subsequent chapter we shall analyse the basic causes of land hunger and of landlessness of the peasantry. At this stage, let us concentrate our attention on all the consequences that arise out of the growing landlessness of the peasantry.

The most serious consequence that arises under the above-mentioned conditions is the steady decline of self-supporting persons and the growth of unemployment among the various sections of the peasantry. The following table about West Bengal, illustrates the menacing character of this problem:

TABLE II  
PERCENTAGE OF SELF-SUPPORTING PERSONS TO TOTAL  
POPULATION (WEST BENGAL)

	1901	1911	1921	1931	1951
All agricultural classes	19.8	23.4	23.4	18.5	14.9
Cultivators of own land	17.0	16.3	16.2	8.2	7.5
Agricultural labourers	2.4	6.1	6.3	7.2	4.2
<i>Bargadars</i>	..	..	16.2	8.2	..

(*Census of India 1951*, Vol. VI, Part IA, pp. 455-56.)

\* 100 cents eq. 1 acre.

Two conclusions can be drawn from the above facts. Firstly, the decline in the number of self-supporting persons in a peasant family is very rapid since 1921, i.e., for the last 30 years. Secondly, the lower the stratum, the greater is the magnitude of unemployment. The agricultural labourers are the worst sufferers in this respect. According to the latest official enquiry, men-workers remain unemployed 100 days in the year, on an all-India average. This figure errs, however, on the side of underestimation, yet it is itself an eloquent commentary on the material conditions of the peasantry.

## 2. LAND MONOPOLY

A bird's eye view of the distribution of landholdings in the different states will throw significant light on the material conditions of the peasantry. It has already been pointed out that, on the average, 59 per cent of the peasants possess less than 5 acres; in other words, the holdings of the majority of the peasants are uneconomic.

In order to understand this, one must have an idea of what is meant by an "economic holding."

The *Report of the Congress Agrarian Reforms Committee* defined "economic holding" in the following terms:

"(1) It must afford a reasonable standard of living.

"(2) It must provide full employment to a family of normal size and at least a pair of good bullocks.

"(3) It must have a bearing on other relevant factors peculiar to the agrarian economy of the region." (p. 21.)

The Committee did not lay down the exact size of an economic holding and rightly pointed out that it must vary in different regions. It can however be safely concluded that no holding, of an average quality, below 5 acres, can be considered as an economic holding.

Now let us examine the nature of the peasant holdings in different parts of the country.



The Congress Agrarian Reforms Committee gives the following chart:

TABLE III  
PERCENTAGE OF FAMILIES WITH DIFFERENT SIZES OF LAND HOLDING  
(in acres)

Province	Less than 2	2-5	5-10	10 & above
Assam	38.9	27.4	21.1	12.6
Bihar	N.A.	N.A.	N.A.	N.A.
Bombay				
(Gujarat Districts)	27.5	25.7	22.3	24.5
(Deccan)	19.8	16.7	18.8	44.7
(Karnatak)	12.2	19.2	21.7	46.9
West Bengal	34.7	28.7	20.0	16.6
C. P.	49.0	..	21.0	30.0
Orissa	50.0	27.0	13.0	10.0
Madras	51.0	31.0	7.0	11.0
U.P.	55.8	25.4	12.8	6.0

(Ibid., p. 14)

This chart is certainly a little out of date, recent changes being in the direction of further worsening of the condition of the peasants.

Nevertheless, the above table reveals the existence of a serious state of affairs. In Uttar Pradesh and Madras more than 80 per cent of the holdings are below 5 acres, in Orissa the percentage is as high as 77. In the majority of the states, almost half the holdings, and in a number of states more than half, are below 2 acres.

The Report of the Committee does not give the data for East Punjab and Bihar.

From an enquiry by Kisan Sabha workers, the following results are obtained from East Punjab:

55.11 per cent of the total landowners possess less than 5 acres and another 22.78 per cent possess less than 10 acres, but more than 5 acres. A rough estimate shows that these two categories together hold not more than 40 per cent of cultivable land in East Punjab; another 4 per cent of the landowners with holdings above 50 acres, possess about 30 per cent of the land. The remaining 18 per cent of landowners whose holdings are between 10 to 50 acres, possess

30 per cent of the total cultivable land. These landowners together constitute 60.1 per cent of the agricultural population, while 28.3 per cent are tenants and 11.6 per cent are agricultural labourers.

The above figures reveal the existence of land monopoly, i.e., concentration of land in the hands of big landlords side by side with extremely dwarf holding; of millions of poor peasants and hundreds of thousands of landless paupers.

The same results are obtained from an account of distribution of landholdings in PEPSU, given by the Venkatachar Committee, as follows:

TABLE IV

<i>Group</i>	<i>No. of holdings</i>	<i>Area in acres</i>	<i>% of holdings</i>	<i>% of area</i>
Under 1 acre	92,434	71,196	17.6	1.1
1 acre and above but under 3 acres	79,533	187,446	15.2	3.0
3 to 5 acres	54,438	259,157	12.3	4.1
5 to 10 acres	92,768	680,110	17.7	10.7
10 to 15 acres	63,864	822,991	12.2	13.0
15 to 20 acres	43,094	748,622	8.2	11.8
20 to 25 acres	31,613	659,855	8.0	10.4
25 to 50 acres	29,045	1,407,304	7.5	22.2
50 acres and above	17,525	1,504,968	3.3	23.7

Thus in PEPSU, 3.3 per cent of the total owners hold 23.7 per cent of the total area composed of 50-acre holdings. Existence of land monopoly by the big landlords is the common character of land relation prevalent in other states too.

Distribution of landholdings in Bihar has been worked out as follows:

TABLE V

<i>Area of Holding</i>	<i>Percentage of families.</i>	
0 acres	..	29.34
Up to 5 acres	..	49.30
5 to 15 acres	..	15.67
Above 15 acres	..	5.60

In respect of total acreage, in possession of different categories of agricultural families, the following figures are revealing:

TABLE VI

<i>Class of land</i>	<i>Area in acres</i>
Zamindars' <i>khas</i> and <i>bakasht</i> land	34,60,268
Occupancy ryots' land	194,08,135
Non-occupancy ryots' land	3,34,131
Under-ryots' land	3,35,055

The most significant fact about the above tables is that while more than 29 per cent of the families are landless and another 49 per cent possess less than 5 acres, the feudal landlords are in possession of 34.6 lakh acres of '*khas*' and '*bakasht*' land.

The same story is told by the last census figures in West Bengal. The Census of 1951 publishes an account of land distribution from a survey of 74 lakh acres of cultivated land, while the total number of cultivated land in West Bengal is 117 lakh acres. Below, we give a chart showing the census figures relating to 74 lakh acres and also the weighted figures for 117 lakh acres.\*

TABLE VII

<i>Area of holding</i>	<i>Census figures</i>		<i>Weighted figures</i>	
	<i>Number of owners (in thousands)</i>	<i>Total area in possession (in lakhs)</i>	<i>Number of owners (in thousands)</i>	<i>Total area in possession (in lakhs)</i>
Above 33 1/3 acres	13.5	6.8	20	10
Above 25 acres	27.0	10.83	40	16
Above 20 acres	46	15	69	23
Above 15 acres	80	21	120	32

\* The weighted figures for 117 lakh acres are by simple arithmetical calculation; they need not be taken as the exact position. They serve the purpose of getting an indication.

The actual figures, officially worked out for the entire cultivated land are as follows:

TABLE VIII

<i>Area of holding (acres)</i>	<i>Number of families</i>
More than 25	40,000
10 to 25	5.3 lakhs.
5 to 10	6.4 "
Less than 5 acres	6.4 "
Landless	13.9 "

From the above two tables it can be safely concluded that out of 32.4 lakhs of agricultural families in West Bengal, 63 per cent or 20.3 lakh families possess between 0 to 5 acres, i.e., they lie on the level of pauperism. At the same time, the extent of land monopoly is revealed by the fact that about 120,000 families possess 32 lakh acres, while about 31.2 lakh families possess the rest, i.e. 85 lakh acres.

Almost the same situation exists in Bombay which is a ryotwari province, unlike West Bengal.

"In Bombay Province," says the *Report of the Congress Agrarian Reforms Committee*, "18,56,000 agriculturists own 1,86,56,000 acres, while 5,22,600 non-agriculturists own 82,94,000 acres. In other words, the *per capita* land owned by the cultivating class is 10 acres while that owned by the non-cultivating class is 15.9 acres." (p. 40). This is perhaps an underestimation, but even this figure means a lot.

The extent of land monopoly in Orissa can be seen in the following table given by the Orissa Land Revenue and Land Tenure Committee (1946) through a sample survey covering 18,885 families:

TABLE IX

Percentage of lands cultivated by family members	58.5
Percentage of lands cultivated by share-croppers	15.6
Percentage of lands cultivated with the help of agricultural labourers	25.6
Percentage of agricultural lands transferred from the hands of actual cultivators into those of non-agriculturists during the last 15 years	3.5

During the share-croppers' movement in 1946-47, the Utkal Provincial Kisan Sabha made a sample survey in the four coastal districts and arrived at the following figures:

"30 per cent of the cultivated land owned by big landlords and owners.

"10 per cent of the cultivated land owned by middle-class intelligentsia, teachers, clerks, big officials.

"10 per cent of the cultivated land owned by disabled poor and middle peasants and non-cultivating castes."

The above facts reveal the extent of concentration of land in fewer hands, or in other words of land monopoly. But the character of this land monopoly must be understood. There is no large-scale cultivation worth mentioning by the landlords who have got large areas in their private possession. The holdings are generally scattered and cultivated in small plots. The dwarfness of the average holding is a significant feature of Indian agriculture.

TABLE X

## AVERAGE SIZE OF CULTIVATOR'S HOLDINGS

<i>Zone</i>	<i>Average Size (acres)</i>
North India	5.3
East India	4.5
South India	4.5
West India	12.3
Central India	12.2
North West India	12.6
All India	7.5

These figures give a rough idea of the dwarfness of the holdings. Of all the causes of this dwarfness, the most important is the pressure of population on agriculture or in other words dependence of too large a population upon land, which the latter cannot sustain. Now, what is the reason of this pressure of population on land?

The Census Commissioner for India laid the blame on the growth of population which is, according to him, responsible for the low average size of the holdings. His diagnosis is, however, completely belied by the fact that in

certain other countries, as in the USA and the UK, population has grown faster than India during the last 7½ decades, yet in those countries there is no such problem as pressure of population on land. At the same time, the "pressure" has not prevented monopolisation of land by the few. In the Indian Union as a whole, 5.6 per cent of the owners, whose holdings are above 25 acres, are in possession of 34 per cent of the entire cultivated area. This gives the lie to the theory of over-population, a theory trumpeted by reactionaries in order to drown in its noise the hard realities of landlord monopoly.

It is, however, an undeniable fact that too large a population is dependent upon land, but this is the result not of the growth of population as such, but of the perpetuation of *industrial backwardness*.

British imperialist domination has deliberately kept India industrially backward and the result is that a growing population has been forced to fall back on agriculture. Moreover, the Indian artisans who have lost their trades as a result of foreign competition and also direct suppression by British rulers, have fallen back on land for self-existence.

Let us now turn to the problem of breaking land monopoly. The Congress Agrarian Reforms Committee made the following recommendations:

"The Committee has also felt that there should be a ceiling to the size of holdings which any one farmer should own and cultivate. In the first place, the supply of land, in relation to the number of people seeking it, is so limited that not to put a ceiling on individual holdings would be irrational and unjust. Secondly, under the present technique of cultivation, the managerial capacity and financial resources of an average cultivator in India, the optimum size of a holding has to be fairly low. The Committee has, therefore, recommended that the optimum size should be three times the size of the economic holding. Certain exceptions, however, have been allowed in cases of joint families and charitable institutions." (*Report*, p. 9)

But the recommendations have remained on paper.

About five years after the publication of the report and at the close of the fourth year of the First Five-Year Plan not a single state has shown any willingness to implement

them. The only step that has been taken is the fixation of ceilings with respect to future acquisition, in a number of states. In U.P., the limitation is 30 acres, in Madhya Bharat, 50 acres and in Hyderabad, 5 times the family holding. A "family holding" has been defined by the Hyderabad Tenancy and Agricultural Lands (Amendment) Act of 1953 as "representing an extent of land which can be cultivated by a working family of five members as a plough unit, and yielding a net annual income of Rs. 800" (H. D. Malaviya, *Land Reforms in India*, p. 287).

We shall return to this discussion in the final chapter of the book, meanwhile it is to be noted that the question of putting a ceiling on the landholdings has brought the Congress Government into a crisis.

It is reported that even the Planning Commission, an organ of the Government of India, is not satisfied with the Government measures and the Happy Family that reigns in Delhi and the states are evenly divided over the issue of fixing a ceiling on landholdings. Land monopoly has thus become a sharp piece of bone sticking in their throat which they can neither swallow nor vomit out.

### 3. THE BURDEN OF RENT

Feudal exploitation, as is already pointed out, is the dominant feature of rural economy. What does it mean in terms of economic exploitation?

Under the capitalist system, as distinguished from feudalism, the owner of capital supplies the means of production. The worker sells his labour-power, i.e., his latent productive capacity per day, as a commodity to the capitalist. The capitalist purchases his labour-power, say of one day, by paying him the exchange value of one day's labour-power in terms of wages. What is the value of one day's labour-power? It is the minimum means of subsistence required by the worker to replace his commodity, (namely, one day's labour-power). The capitalist purchases machinery, raw materials, etc., and labour-power and sets them in motion in the labour process. At the end of the process

he gets a new commodity, the product of his factory, whose value embodies within it the former values plus an increment, which goes to him as profit. Wherefrom does this increment arise? It arises from the difference between the value of one day's labour-power which the worker sold to him and the value which it created in the labour process. In other words, it is the difference between the value of labour-power for one day and the value which it creates during the same time. It is this difference which is called surplus value or profit when realised in money.

The essence of the capitalist mode of production as discovered by Marx is that the owner of capital exploits the workers not by violating the principle of equality of exchange but in the process of production by virtue of his ownership of the means of production. In other words, capitalist exploitation, as distinguished from feudal exploitation, is based upon ownership of the means of production by the capitalist.

It is otherwise in the feudal mode of production. Under this mode, the landowner does not own any means of production, except land. He does not supply machinery and raw materials, such as, plough, cattle, seeds, etc. The working peasant himself supplies these as well as labour, needed for the agricultural operations. In this case, the landowner, who bears no cost of production for the labour process, extracts from the peasant-producer an amount which is unrelated to the exchange value of the crops produced or to the profits from agriculture. The landlord is able to extract the sum from the peasant by virtue of his social privileges attached to his monopoly over land, and because the peasant is not free to choose his employment under this economy. The landlord's levy on the peasant may be in the form of 'labour', 'produce' or 'money'. Each of these is called rent. Labour rent is the worst form of feudal exploitation, it means that the peasant or the serf is obliged to perform *begar*, i.e., labour without remuneration, for the landowner who allots to him a plot of land for his subsistence and forces him to work gratis in his (landlord's) own land.



Rent in the capitalist sense is something different from the above. It is a part of the surplus value or profit realised by the farmer. We need not go into that question for the purpose of our present enquiry. It is enough to bear in mind that capitalist ground rent arises not by denying wages and the average profit due to the farmer but over and above the same.

*A landlord in our country extracts from the peasant, not the capitalist ground rent, but a feudal levy; he does not bear the cost of production, does not undertake management of the production process, does not play any productive part. He simply extracts a levy because he is the landowner and the peasant-producer has no freedom to choose any alternative. This levy which we call rent in the feudal sense arises by depriving the peasant producer not only of the average profit but also, too often, the wages of his own labour. Whether this rent is paid in labour, produce or money, the intrinsic character of rent remains the same—namely, extraction of surplus product by virtue of land monopoly. Labour rent, commonly known as begar (forced unpaid labour), is the worst form of this mode of exploitation and money rent is, according to Marx, its dissolving form.*

Both money rent and produce rent (as well as labour rent to some extent) are prevalent in our country; despite rent-restricting legislation, the peasant is rack-rented, even to this day.

In West Bengal there are produce rents varying between one half of the produce to fixed rates up to 15 maunds of paddy per acre. Crop-sharing is nothing but realisation of produce rent by the landlord, and there are 6 lakhs of share-croppers in West Bengal cultivating more than 20 per cent of the cultivated area in the state. Half the share of the produce from these plots coupled with money rents and other rents from other tenants, constitute a big portion of the national income from agriculture. The bulk of this amount goes to the feudal landlords of various types.

In Malabar and Tamilnad, the rent that the sub-tenants

are obliged to pay range from two-thirds to three-fourths of the produce. Only recently, Congress agrarian legislation has reduced it by a little. Maximum rent in Orissa is as high as Rs. 18 per acre, according to the *Report of the Congress Agrarian Reforms Committee* (1949). In Uttar Pradesh, according to the same report, it varies between Rs. 5-8 to Rs. 7 per acre.

Shri H. D. Malaviya, in his book *Land Reforms in India*, states that in U.P., the "rental demand between 1893-94 and 1944-45 increased by about 42 per cent, while the land revenue increased by only 15 per cent, and the margin of profit of the intermediaries went up by 69 per cent." (p. 101)

The same author published the following interesting chart about rents in Uttar Pradesh.

TABLE XI  
RENT AND REVENUE IN U.P.

Year	Total rental demand (In lakhs of rupees)	Total land revenue paid	Margin of profit
1893-94	1,224	593	631
1898-99	1,236	619	617
1904-05	1,383	640	743
1909-10	1,508	649	859
1914-15	1,632	651	981
1919-20	1,784	677	1,107
1924-25	1,867	690	1,177
1929-30	1,940	703	1,237
1934-35	1,881	712	1,169
1939-40	1,810	702	1,108
1942-43	1,717	682	1,035
1943-44	1,737	681	1,056
1944-45	1,753	682	1,071

The above table is an eloquent testimony to the growing feudal grip of the landlord over the peasant and the conti-

nous loot of national income by feudal parasites. The ransom that the land-pirates extract from the peasants represents a loss to the nation's capital formation because it is spent to sustain neither industry \* nor agriculture but a leisure class performing no productive activity.

Commenting on this astounding rack-renting and the economic consequences thereof, the Congress Agrarian Reform Committee remarked:

"It has been found by experience that unless land is owned by the tiller his incentive to production does not reach the optimum point. Because of the absence of any guarantee that he would get the full benefit resulting from the improvement he has no desire to make any improvement in the land he cultivates. The improvement, if any, made by him, will only enhance the rate of rent which he has to pay even if he is allowed to enjoy security of tenure." (*Report*, p. 38).

This sums up the main problem that the Congress Government has been faced with in relation to land problems.

We have thus seen that monopoly in land begets rack-renting of the peasant which in its turn is detrimental to agricultural prosperity. We shall examine in a subsequent chapter whether agrarian legislation under the Congress Government removes this malady.

In the beginning of this section we have pointed out what the essence of feudal exploitation is. We have also repeatedly pointed out its link with the land monopoly. It has also been made clear that the system in force in all parts of the country is nothing short of feudal rack-renting. This does not however mean the total absence of any penetration of capitalist relations in agriculture in any part of the country. But it is the feudal, or, more accurately, the semi-feudal mode that is dominant.

Let us return to the examination of the nature of the rent the Indian peasant is burdened with. It is sometimes maintained by official spokesmen that with the rise of prices during the Second World War and the subsequent period, the

\* Landlords' shares invested in industries can be considered as negligible in comparison with the total income of landlords.

peasant was better off and the rent burden has fallen. These pundits assume that during this period peasants' cost of living as well as rents remained fixed. These charlatans forget that during this period, industrial prices have risen more in proportion to the prices of agricultural products and that the rise in prices of food grains does not benefit the majority of the peasants who are compelled to procure the same from the market because their holdings are too small to grow enough food for themselves.

The contention that during the Second World War and the post-war period, the peasant has gained from the rise of prices is belied by the growing volume of debt as well as the magnitude of the sale of land by the peasants.

The corresponding figures for undivided Bengal are very instructive.

TABLE XII  
INDEBTEDNESS OF THE PEASANTRY  
(Undivided Bengal)

<i>Year</i>	<i>Percentage of the families of tenant cultivators in debt</i>	<i>Average debt per family</i>
1943	29	Rs. 85.5
1944	56.7	Rs. 82.1
1946	53.7	Rs. 148.1

(Census of India, 1951, Vol. VI, Part IA.)

The above table shows that in 1946, both the percentage of families in debt as well as the average debt has tremendously increased over the year 1943. In the year 1944, the amount of average debt slightly decreased but the percentage of families in debt increased by a little less than 100 per cent. This may be an indicator of the fact that a section of well-to-do peasants, who alone could derive the benefit of the phenomenal rise of food prices in 1943-44, were able to wipe off their debts, thereby reducing the average debt per family. But at the same time, almost 100 per cent rise in

the number of indebted families shows that a larger number of poor peasants who had been hit very hard were dragged by the crisis into the grip of the moneylenders.

In this connection, the following table relating to the volume of land sales and mortgages in Bengal during the same period is very instructive:

TABLE XIII

<i>Year</i>	<i>Number of sales (West Bengal)</i>	<i>Number of usufruc- tuary mortgages</i>
1940	173,872	3,916
1941	199,923	4,650
1942	212,701	2,929
1943	408,835	3,896
1947	199,351	828
1948	192,128	330
1949	245,679	393

(*Ibid.*, p. 91)

Up to 1943, the volume of land sale had increased and to some extent the number of usufructuary mortgages too. In West Bengal, after partition, land sale in 1949 increased over that of 1947 after a slight drop in 1948. The number of land mortgages, however, sharply diminished in comparison with 1947. Since 1943, there has been a drop both in the number of sales as well as mortgages, but this was the period when the prices of food grains had fallen in comparison with 1943-44, and the prices of cash crops have fallen still more sharply. The Census Superintendent for West Bengal explained the process in the following words:

"The immediate problem of keeping body and soul together being over in 1943-44, and the winter harvest after the famine bringing in a bumper crop, owner cultivators realised that they were on the brink of a precipice, and rather than sell off their lands thought it wise to go in for loan. Their quest was helped by the stiffening of agricultural prices in 1946, the Rural Indebtedness Enquiry assessed the percentage of owner cultivating families indebted as 53.7, a drop from 1944, and the volume of debt as Rs. 148.1, a steep rise from the average debt of 1944." (*Ibid.*, p. 91)

What does all this boil down to?

The Census Superintendent for West Bengal made the following admirable observations in the concluding para of the chapter on "Material Conditions of the People":

"The above brief review of the material condition of the agricultural classes gives a broad outline of how they have fared during the last two decades, through a series of unprecedented changes, even calamities, and their equipment, or rather lack of it, to livelihood with numerical growth. The margin between livelihood and the population is always slender, if not precarious, and substantiates the Famine Enquiry Commission's observations on the low economic level of the state, the increasing pressure on land not relieved by growth of industry, how a considerable section of the population lives on the margin of subsistence and is incapable of standing any severe economic stress, the very bad health conditions and low standard of nutrition, the absence of a 'margin of safety' as regards their health and wealth." (*Ibid.*, p. 108)

It is thus quite clear that in spite of the fall in value of fixed money rent, the absolute burden of rent on the shoulders of the mass of the peasants did not diminish on account of the phenomenal rise of the prices of food grains during the period of Second World War, a rise which continued even in the post-war period.

Can it be said that no section of the peasantry had gained in this respect? No it cannot be said. A section of the rich peasants whose holdings yielded enough surplus and whose rents were fixed in cash, certainly felt a relief. But even this conclusion had a number of important limitations. Firstly, the cost of cultivation increased due to the rise in the prices of food grains and other commodities. Secondly, the rich peasants suffered losses due to fall in the prices of cash crops which included mainly raw materials for industries. Thirdly, taxes increased and still continue to increase enormously leaving to the householders very little margin.

The real beneficiaries of wartime inflation were those landowners who employed share-croppers, or tenants for rents in kind. These landlords gained enormously because they bear no part of the cost of cultivation but get the possession of large stocks to be sold at exorbitant prices by

means of hoarding. But the land revenue they pay to the state or rent to the landlords above them, were generally fixed in terms of money.

To sum up: Land rent continues to be a heavy burden on the peasants and a serious handicap to the development of our national economy. Landlords extract a considerable part of our national income from agriculture in exchange for nothing. The total national income from agriculture in 1949-50 was Rs. 4,800 crores. Rents vary between 10 to 60 per cent of the net produce. According to Malaviya, rents vary between 33 and 75 per cent of the produce (*Op. Cit.*, p. 450). If we assume the average rent to be 25 per cent of the net income of the peasants, the total rent-roll turns out to be about Rs. 1,200 crores per annum, appropriated by non-cultivating owners of land and other agricultural rent receivers. The earning members of this class constitute 2.3 per cent of all agriculturists. The earning cultivators, constituting 77 per cent, and the earning agricultural labourers, constituting another 21 per cent, together got the rest, i.e., Rs. 3,600 crores. Concretely speaking, 16 lakh landlords (actual earners) get annually Rs. 1,200 crores, or Rs. 7,500 per earner, per annum. At the other pole, 694 lakhs of the peasant earners including agricultural labourers get Rs. 3,600 crores, or approximately Rs. 518 per earner, per annum on the average.

That the above figures do not at all overestimate landlords' loot, is evident from the following account of a prominent Congressman:

"Professor Brij Narayan calculated that the landlords in the Punjab took as much as 80 per cent of the net produce of the tenant under the *batai* system of cultivation. In Bombay, the rents ranged between 40 and 60 per cent of the net produce." (H. D. Malaviya, *Op. Cit.*, p. 36)

The parasitic character of our land relations is indicated by the fact that out of the annual feudal toll of Rs. 1,200 crores, the states get only Rs. 35 crores as land revenue and the average annual additional amount of savings that is invested in industry and trade, does not exceed Rs. 100 crores.

It follows that, every year, more than a thousand crores of rupees out of the total national income of Rs. 9,000 crores, (i.e., 11%) are economic wastes on account of the prevalence of feudal land tenure, directly through rent alone.\*

This may sound fantastic, because it is not customary to count innumerable illegal exactions, crop-shares from *bataidars* and *bargadars* and produce rents from various categories of *thika* tenants or tenants-at-will as "rents". But H. D. Malaviya could not put the figures below Rs. 100 crores a year with the comment that "this was an underestimate." Even then, the volume of rents stands out as a colossal national waste and monstrous loot of peasants by parasites.

The Congress Agrarian Reforms Committee did indeed take due note of the seriousness of the situation and remarked that "the question of fairness of rent has to be tackled. As a matter of fact it is a well-known principle that there can be no security of tenure without the determination of fairness of rent." But the Committee could not make any revolutionary proposal indicated by the above-mentioned comment. Its recommendation in this respect was:

"We recommended that determination of fair rent and commutation of crop share into cash rent for the tenants who would acquire occupancy right should be on the basis of the provisions of the Bombay Tenancy Act of 1948....

This Act contains the following provision:

"Notwithstanding any agreement, usage, decree or order of a court of any law, the maximum rent payable by a tenant for the lease of any land shall not in case of irrigated land exceed one-fourth and in case of any other land exceed one-third of the crop of such land or its value as determined in the prescribed manner." (*Report*, p. 46)

Reduction of rent to one-fourth or one-third of the gross produce is no doubt an important concession secured

\* A part of the rent goes to a section of rich peasants and other elements who are of course productive classes. But it will be so small in comparison with the total rent-roll of the country as a whole, that for the purpose of our enquiry, it can be neglected.



by the peasantry in Bombay—but our analysis contained in this chapter leaves no room for doubt that it does not materially alter the situation, because 25 per cent or 33 per cent of the gross produce is nothing short of rack-rent.

The Planning Commission, however, recommended one-fifth or one-fourth of the gross produce as the maximum rent. Even this has not been implemented in most of the states.

In Bihar produce rents are as yet unregulated. The under-ryots paying cash rents have secured the concession that their rents are not to exceed  $1\frac{1}{2}$  times the rent payable by the ryot. In Orissa only the share of the crop payable by the share-cropper has been limited to 40 per cent of the gross produce. In the Tanjore District of Tamilnad, after a great struggle of the tenants, the Congress Government has been kind enough to regulate the rent to 60 per cent of the gross produce of the principal crop! In Malabar, half the net produce or one-fourth of the gross produce in case of wet lands and 3 times the annual assessment (i.e., state revenue) in case of dry lands have been fixed as the maximum rent. In Punjab and PEPSU the rate is one-third of the gross produce. Only in Bombay and Rajasthan, the state Governments have fixed the maximum rents to one-sixth of the gross produce.

Such is the record of the Congress regime in the course of 7 years! It is a record of playing with problems in the midst of a devastating crisis.

#### 4. INDEBTEDNESS

Usury is an essential concomitant of a backward economy. Feudal exploitation, for example, leaves no margin to the actual tiller of the soil, who, under a backward economy is in general responsible for the supply of seed, manure, irrigation, implements and cattle, etc., required for cultivation besides his own labour. Naturally, he has to go to the moneylender. Under feudal conditions, just as rent is limited only by the landlord's capacity to squeeze the peasant, likewise interest on debt is limited only by the

moneylender's capacity to fleece him. The peasant is in need of debt even for his food and other essential requisites because his annual budget is always a deficit one. The following table discloses the seriousness of the position in this respect:

TABLE XIV  
INCOME AND EXPENDITURE OF TYPICAL AGRICULTURAL FAMILIES IN 1933

District	<i>Bengal Districts</i>		
	<i>Average Annual</i>	<i>Average Annual</i>	<i>Average Annual</i>
	<i>income</i>	<i>Expenditure</i>	<i>Debt</i>
	Rs.	Rs.	Rs.
Burdwan	156.6	197.7	219.13
Birbhum	172.9	169.8	162.16
Midnapur	144.9	166.9	187.29
Murshidabad	132.8	142.6	106.9
Nadia (undivided)	141.6	163.6	199.15
Malda (undivided)	29.4	26.3	11.3

(Census of India, 1951, Vol. VI, Part IA, p. 90)

The above table refers to the period of slump. But during the war boom the situation had not radically changed for the better, if at all, because during the war boom the average peasant's expenditure increased much more than the income.

The total rural indebtedness of undivided India was Rs. 900 crores up to 1930 according to the Central Banking Enquiry Committee Report—the rates of interest then ranged up to 300 per cent. In the year 1951, the National Income Committee's Report gives the estimate of total rural debt to be Rs. 1913.8 crores in the Indian Union after partition. This reveals the alarming increase of the load of debt on the shoulders of the peasantry. According to the same report, the total annual income of the moneylenders in the Indian Union was Rs. 86.5 crores. This reveals the parasitic character of our rural economy. Approximately only 5 per cent of the loan is supplied by rural co-operative credit societies—for the rest, the peasant turn towards the usurious moneylender.

In Assam, according to a sample survey, undertaken by the Government of Assam in 1949-50, 60 per cent of the pea-

sants in the Darrang district are indebted. The rate of interest varies between 10 to 100 per cent. In the Sibsagar district 38.14 per cent of the population surveyed were in debt.

In undivided Bengal the extent of rural indebtedness increased from Rs. 100 crores in 1930 to Rs. 150 crores in 1944-45 according to the *Ishaque Report* of the Government of Bengal.

In the Uttar Pradesh, the total indebtedness up to 1930 was, according to the *U.P. Banking Enquiry Committee Report*, Rs. 125 crores. Debt Relief Acts passed since 1947, by the Congress Government may have given relief to the extent of about Rs. 30 crores. This shows that despite seven years of Congress rule, the bulk of the peasantry remains heavily indebted, beyond any hope of redemption in the normal way.

The Congress Agrarian Reforms Committee gives the following table showing the extent of rural indebtedness in U.P. :

TABLE XV  
PERCENTAGE OF INDEBTED CULTIVATORS IN DIFFERENT GROUPS (1945)

<i>District</i>	GROUP A (Holders of above 7 acres)	GROUP B (Holders of between 2.5 to 7 acres)	GROUP C (Below 2.5 acres)
Gorakhpur	25	45	68
Azamgarh	23	53	49
Almora	—	—	40
Meerut	67	62	86
Jhansi	41	61	70
Unao	—	—	51

It shows that the poorer the peasant, the more indebted he is and the majority of the poor peasants are indebted, the most indebted stratum being the agricultural worker.

The Congress Government has done almost nothing to liberate the peasants from the grip of the usurers. In Bengal, certain Acts, such as the Bengal Agricultural Debtors' Act, 1935, and the Bengal Moneylenders' Act, 1939, were passed by the Fazlul Huq Ministry. These Acts limited the rates

of interest and provided for scaling down of debts. But these Acts have failed to solve the problem of agricultural credit and peasant indebtedness.

The *Census of India*, 1951, characterises the consequences of these Acts in the following analysis:

"As a result of these two Acts indebtedness fell after 1937 but it would not be too much to say that they nearly extinguished rural credit or compelled it to take new disguises which were more dangerous for the owner cultivator. In 1943 according to the Famine Enquiry Commission, above 29.0 per cent of the tenant cultivator families were in debt, with an average debt of Rs. 85.5 per family which increased in 1944 to 56.7 per cent and stood at an average of Rs. 82.1. On the face of these figures one might imagine that agricultural families were better off than before, but the underlying facts are that during the famine a large number of agriculturists sold off their lands to their creditors and stepping down as *bargadars*, disposed of their lands as well as debts, and this served to lower the average debt per family. The majority of sales are likely to have been transacted with moneylenders or mahajans to whom families were indebted or with whom the land was mortgaged." (*Census of India*, 1951, Vol. VI, Part IA, p. 91)

During the Congress rule in Bengal no further step has been taken to loosen the grip of the moneylender or to solve the problem of rural credit. Traditional agricultural loans touch not even the fringe of the problem.

The story is the same in all parts of the country.

In order to appreciate the social significance of this indebtedness, it is necessary to analyse the sources of debt.

The U.P. Banking Enquiry Committee gives the following interesting figures about Uttar Pradesh:-

TABLE XVI

SOURCES OF LOANS		
Village moneylenders	..	5.3%
Town moneylenders	..	28.3%
Landlords	..	39.9%
Tenants	..	13.7%
Co-operatives	..	5.3%
Government	..	2.0%

From the above account we find that the biggest creditor is the landlord. Thus the landlord possesses the double-edged sword, land as well as credit, with which to chop the flesh of the peasants. Next, in order, comes the money-lenders, of the town as well as the village, together supplying 33.6% of the debts. Tenants, or, in other words, intermediaries and rich peasants, play no mean part. These elements together with the landlords supply 53.6% of the credit. The co-operatives and the Government do the least.

In Bengal, from the *Report on Rural Indebtedness, 1946*, the following main results are obtained:

Of the total number of debtors, the farmers constitute 10.93%, the owner cultivators 47.44%, the share-croppers 6.19% and the agricultural labourers 11.59%.

The sources of their loans are as follows:

TABLE XVII  
SOURCES OF LOANS (1946-47)  
(figures indicate percentage of total debtors)

Occupation of debtor	Money lenders	Proprietors	Cultivators	Traders	Professions	Co-operatives	Government	Others
Farmers	1.17	2.81	4.71	1.14	0.36	0.27	0.16	0.31
Owner cultivators	6.75	9.84	16.11	4.71	0.28	3.67	2.77	3.31
Share-croppers	0.47	1.18	2.87	0.47	0.09	0.17	0.68	0.26
Agricultural workers	2.12	1.26	4.33	1.07	0.16	0.30	1.98	0.37

Several important conclusions follow from the above table: Firstly, the Government and co-operatives, as in U.P., do the least in respect of supplying credit to the peasantry. Secondly, a section of the peasants, i.e., the rich peasants has emerged as the principal creditor of the peasantry including share-croppers and agricultural workers. In this respect the following observations of the Census Report are interesting:

"After 1943, the cultivator began to increase in importance as

a creditor until in 1946 he supplied a third of the credit to owner cultivators. He became a new class of rich peasantry who combined agriculture with moneylending and probably settled his lands, acquired in outright sales during the famine, with *bargadars*. It is possible to deduce that this new class of rich peasantry recruited its strength from moneylenders and traders." (*Census of India, 1951, Vol. VI, Part IA, p. 92*)

Having reviewed the nature of the grip of the various classes of creditors on the different sections of the peasantry, let us now enquire into the objects of the loans. This enquiry is very important because it will show a significant light on the plight of the peasants. *One often comes across the formulation that the cause of indebtedness of the peasantry is improvidence, that the increase of food prices during war and famine benefited the peasant, and that the biggest loans are for litigation and ceremonial purposes. The following facts completely belie such formulation and give an altogether different picture of rural economy.*

TABLE XVIII  
OBJECTS OF LOANS (1946-47)  
(Bengal)

Occupation	Food	House Repair	Social & religious	Litigation	Arrear rent	Cultivation	Repayment of loans	Others
Owner cultivators	44.01	0.60	10.27	0.40	8.41	12.07	0.21	24.03
Share-croppers	55.98	1.96	17.78	...	1.04	5.34	...	17.90
Agricultural workers	71.70	5.71	5.82	0.27	4.18	3.15	0.88	8.29

(Ibid.)

The above table reveals that:

(i) 71.7% of the loans of the agricultural workers is for food. Again, 55.98% of the debts incurred by the share-croppers is for food. Even for the owner cultivators, the

major item is food. Thus food is the principal object of loan for all sections of the peasantry.

(ii) Litigation is the least cause of the loans.

(iii) Social and religious obligations do play a part but not a big part.

How is it that even the "owner cultivators" take loans mainly for food? How is it that the growers of food are indebted to the usurers for securing food? The answer to this question exposes the rottenness of land relations. Most of the food grains, grown by the tillers of the soil, go into the possession of landlords of various types, the peasant has to get food through loans, which go on being piled up on his neck. *The Indian peasant is born in debt, he lives through debt and dies by leaving a debt to the heirs. That sums up the whole drama of Indian peasant life.*

A trenchant comment on the official measures regarding peasant indebtedness is made by the Congress Agrarian Reforms Committee in the following words:

"In the course of our tours we had occasion to examine peasants in representative zones of the different provinces. We can safely say that the laws for restricting the operations of the moneylender have completely failed. The ceiling rates for the rate of interest provided in those laws have been frequently violated. The rate which is generally charged is 15% to 30%. There are also cases of charging high rates of interest on arrears of rent by the landlords between 6% to 25%. On grain loans *sawaiya* (25%) is the more common rate though *dedhiya* (50%) was also reported." (*Report*, p. 96)

The real solution of the debt problem is first of all the elimination of the debts of the poor peasants by writing them off by state action, by scaling them down and in some case by paying the lenders off by the state. Simultaneously, the state must organise supply of cheap credit in adequate quantity.

The problem of rural credit is a very serious one. According to the *Report of the Rural Credit Enquiry Committee* (1954), the annual credit obtained by the peasantry is in the neighbourhood of Rs. 750 crores. Of this, only 3.3% is

supplied by the Government and 3.1% by the co-operative credit societies. The dismal failure of the Government and the co-operative credit movement in respect of supplying rural credit has strengthened the hold of the moneylenders over the peasantry. No scheme of land reform will succeed unless this problem is satisfactorily solved and this problem cannot be satisfactorily solved without real land reform.

The reasons which have led to the failure of the co-operative credit movement in India sponsored by the Government constitute an interesting study in this respect. Under the existing condition, the co-operative credit societies lend money on the basis of land assets and naturally the landless peasants and agricultural workers do not at all benefit from them, whereas they are the people who need credit most. Naturally, without giving land to the peasants—the co-operative credit movement cannot be rejuvenated. The mass of the tenants-at-will and share-croppers are, in the absence of co-operative credit and state aid, increasingly being dependent upon the usurers, the landlords being an important section of the latter. Whatever credit is supplied by the state and the co-operative credit movement benefit, according to the *Report of the Rural Credit Enquiry Committee*, the “larger agriculturists”, meaning thereby the landlords and the rich peasants, it benefits the former more than the latter.

In these circumstances, the provisions under the First Five-Year Plan, of Rs. 100 crores for rural credit, is nothing short of a *tamasha*, a drop of water sprinkled in a blazing desert. Even the recommendations of the Rural Credit Enquiry Committee will not radically alter the situation unless the credit-worthiness of the peasants is increased by giving land to them free of charge by taking the same from the big landlords, without any compensation.

The link between rural credit and land reform is therefore obvious. One problem cannot be solved in isolation from the other.

The question of rural credit is very important from the point of view of democracy. The peasant tied down by debts cannot freely exercise even his votes due to his economic



subordination to the moneylenders. In West Bengal, for example, the landlords successfully prevent thousands of share-croppers from taking advantage of even the Bargadar Act to obtain their just share by the threat of reprisals by withholding credit. Thousands of them did not even dare to record their names in the settlement *khatiyan* for fear of incurring the wrath of the landlord who is also the supplier of credit.

Democracy in rural areas is unable to breathe unless the problem of rural credit is solved, and even land acts conferring petty concessions to the peasants are successfully made inoperative by the landlords who supply credit to the share-croppers.

The agricultural workers fail to enjoy the bargaining power of free wage-labour on account of the domination of the village moneylender (as one of the reasons). There are thousands of agricultural workers who are virtually debt-slaves or bond-serfs on account of loans incurred and hereditarily transferred. Ancestral loan is the only property the Indian agricultural worker is empowered by the laws of the republic to inherit.

## Chapter II

### THE GROWTH OF THE PRESENT LAND SYSTEM IN INDIA

#### 1. FEUDAL LANDLORDISM

In the previous chapter we have briefly narrated the economic conditions of the peasantry. We have shown in the course of that narration that feudal exploitation is responsible for pauperisation of the peasant masses. Now, what is meant by feudal landlordism? One aspect of the question has already been answered in the previous chapter by defining the essence of feudal exploitation or feudal rent. Now feudal landlordism in its classical form is the system which keeps the peasant tied to land and land is the private property of monopolists who extract feudal rent or feudal levy from the tillers of the soil. In order to understand the meaning of feudal landlordism, the following principal characteristics of the same must be noted:

(1) *Land is the private property of those who are not the tillers of the soil.*

But under capitalism too, land may be the private property of individuals or corporations who are not peasants. Hence this feature, by *itself*, does not define feudalism in land tenure. Hence, we must combine it with the other features mentioned below in order to form an accurate idea of what feudal landlordism is.

(2) *The means of production, required for agriculture,*

*(other than land, of course) belong to the tillers and not to the landowners.*

It means that cattle, ploughs, seeds, manures, etc., are not supplied by the landlords, they are supplied by the actual tillers of the soil. In other words, the tillers of the soil bear the costs of production, and not the landlords, who can be called absentee owners, sleeping partners or parasites.

This of course, does not preclude the possibility, that the landlord may participate in supervision or may supply some parts of the means of production. Under capitalism, the general rule is that the tiller, the actual labourer, is divorced from the ownership of the means of production. Under the feudal mode of production, the labourer (i.e., the peasant) is at the same time owner of the means of production (other than land).

*(3) The tiller of the soil, i.e., the peasant, is not a free labourer, but tied to land.*

There are different historical ways of how the tiller had been tied to land.

Firstly, there is serfdom:

Under capitalist conditions, the labourer is free to leave an employer and choose another. Poverty and unemployment may compel a worker to work under inhuman conditions and with very little wages; that does not mean that he is not "free" in the social sense. If he refuses to work under those conditions, he may starve to death, but the law of the country cannot force him to work under an employer if he does not want to work under him or under conditions which he does not like. Of course, there are extraordinary circumstances, as for example war, when a capitalist state takes away the liberty of the worker in more than one way, but that is not the normal mode under capitalism.

Under serfdom, the tiller, i.e., the serf, is tied to land in the sense that he is the property of the landowner. When the landowner sells his estate, the serf automatically becomes the property of the new owner of the estate. He has

no freedom to leave the estate; if he attempts to do so, he commits a crime against the law of the land.

The serf is distinguished from the slave in the sense that unlike the serf, the slave is not tied to land, but he is himself the property of the slave-owners who can do whatever they like with him. The slave can be sold or even be killed. But the serf cannot be lawfully killed; he can be sold but only along with the farm in which he works.

Serfdom is the classical form of feudalism, but in a society penetrated by capitalist relations, it may be non-existent in its classical form. The tiller may be a peasant proprietor, the landlord possessing the power to compel him to work for the landlord gratis or to serve him in many other ways thereby curtailing his individual liberty.

Secondly, the tiller may be a peasant proprietor or a tenant-at-will, but the existence of monopoly in land, or feudal estates coupled with the absence of large-scale capitalist industries, may compel the peasant to remain tied to land.

In this case his freedom is limited in two ways: firstly, land being the monopoly of estate owners, he cannot freely choose a different plot of land belonging to a different owner; secondly, he cannot freely choose other forms of labour, i.e., industry or trade because the latter belong to closed guilds permitting no free entry to new-comers.

(4) *Landownership is not free.*

It means, first of all, that landownership carries with it obligations to the state.

A capitalist owning a machine, for example, is not obliged to render any service to the state. If he uses this machine for production and if production yields a net income, he is obliged to pay an income tax, etc. But he pays his tax not because he owns the machine, but for his income or for his profit.

Under feudalism, ownership of land by the feudal landlord carries with it the obligation to the state either in the form of service or at least in the form of land-revenue payment.

The following two passages bearing some important historical references will make the point clear.

Dealing with English landed property Marx said:

"After the restoration of the Stuarts, the landed proprietors carried, by legal means, an act of usurpation, effective everywhere on the Continent without any legal formality. They abolished the feudal tenure of land, i.e., they got rid of all its obligations to the State.... vindicated for themselves the rights of modern private property in estates to which they had only a feudal title...." (*Capital*, Vol. I, Moscow, p. 723)

Dealing with American land tenure, Lenin observed:

"On the contrary in America, it was not the slave economy of the big landlords that served the basis of capitalist agriculture (the Civil war crushed the slave estates), but the free economy of the free farmer working on free land, land free from all medieval fetters, free from serfdom and feudalism, on the one hand, and free from the fetters of private property in land, on the other. Land was given away in America out of an enormous land fund, at a nominal price, and it is only on a new, completely capitalist base that private property in land has now developed there." (*Selected Works*, Lawrence and Wishart, Vol. I, pp. 210-211.)

From the above two passages, the reader will get an understanding of the difference between feudal private property which carries with it *obligations* and capitalist private property which is *free*.

## 2. LAND SYSTEM IN INDIA

From the account contained in the previous section, we can analyse the Indian land system and its consequences.

In chapter one, we have seen, that the overwhelmingly major part of land in India belongs to rent-receiving landlords, i.e., landlords who are not the tillers of the soil. In the great majority of the holdings, both labour and the means of production (other than land) are supplied by the peasant cultivator. In other words, generally speaking, the costs of production are borne by the tiller, while the "profits" are grabbed by the landlord contributing neither capital nor labour to the production process. Thus the essential

features of feudal landlordism are predominant in India's land relations.

We shall now analyse the concrete types of land tenure existing in India in order to examine the above-mentioned statement.

There are three principal types of land tenure in India—the zamindari, the ryotwari and the mahalwari. There are other varieties which can be classified under any of these types. Then, there are two types of this zamindari system, permanent settlement and temporary settlement.

Permanent zamindari settlement exists in Bengal, Bihar, Orissa, Assam, Banaras and North Madras. Temporary zamindari settlement exists in Uttar Pradesh; the jagirdari system which prevails in the Punjab, PEPSU and Rajasthan is a variety of temporary zamindari settlement only under a different name.

The essence of the zamindari (as also jagirdari) system consists in making private landlords the proprietors of estates on condition of the payment of a stipulated revenue to the state. The peasants obtain the holdings by leasing the same from the landlords who stand between the state and the tiller.

Under permanent settlement, "the share of the state is fixed in perpetuity."

Under the ryotwari system, lands are held direct from the state by the ryots, i.e., the individual tenants. A ryot, as in Madras, cannot be ejected by the Government so long as he pays the fixed assessment.

The mahalwari system is defined by the Congress Agrarian Reforms Committee in the following words:

"The principles of *Mahalwari* or joint village system first adopted in Agra and Oudh and later extended to the Punjab were laid down in Regulation IX of 1833. Under this scheme the villages concerned were units by themselves, the ownership of property was joint or communal. These villages or *Mahals* were settled with directly, though a co-sharer of standing was generally selected to undertake the primary liability of paying land revenue. Under this system the details regarding procedure, period of settlement and

assessment of land revenue vary from place to place." (*Report*, p. 33)

The mahalwari system was defined by John Stuart Mill in the following words:

"The peasant proprietors compound with the state for a fixed period. The proprietors do not engage individually with the Government but by villages. The village through its headman undertakes to pay so much for so many years themselves assigning to each man his quota. Primarily each man cultivates and pays for himself but ultimately he is responsible for his co-villagers and they for him; they are ultimately bound together by a joint responsibility. If one of them is compelled to sell his rights to meet demands upon him, the others have right of pre-emption." (Quoted by Prof. Karuna Mukerji in his book *Land Reforms*, p. 16.)

The following chart, taken from Prof. Karuna Mukerji's book (*op. cit.*, p. 6), shows at a glance the distribution of different provinces according to the three principal land tenures in India established under British rule:

TABLE XIX

<i>Varieties of land-lord tenure</i>	<i>Varieties of joint village tenure</i>	<i>Varieties of independent single tenure</i>
1. Permanent settlement (Zamindars of East and West Bengal)	1. U.P. Mahalwari settlements except Oudh talukdars	1. Madras Ryotwari
2. Temporary settlement (remaining zamindars of East and West Bengal)	2. Punjab Mahalwari	2. Bombay and Berar Raiyatwari
3. Temporary settlement (Oudh talukdars)	3. Madhya Pradesh Malguzari.	3. Special systems of Assam and Coorg.

The main character of these three varieties of land tenure in India was aptly described by Karl Marx as follows:

"If any nation's history, then it is the history of the English management of India which is a string of unsuccessful and really

absurd (and in practice infamous) experiments in economics. In Bengal they created a caricature of English landed property on a large scale; in southeastern India, a caricature of small allotment property; in the Northwest they transformed to the utmost of their ability the Indian commune with common ownership of the soil into a caricature of itself." (*Capital*, Vol. III, 392-93)

This statement sums up the essence of the different varieties of land tenures existing in India. It says that these tenures did not arise out of the historical development of Indian society. They were "economic experiments" (and mismanaged at that) of the British rulers. attempts to graft certain alien systems, but the result naturally turned out to be—mere caricatures of the systems copied. Even the mahalwari was a mere caricature of the Indian village communes after destroying the same.

*These unsettlements were, right from the very inception, harbingers of an agrarian crisis which turned the peasants into paupers, ruined Indian agriculture and ushered in a whole era of devastating famines. The material conditions of the peasantry, a glimpse of which has been given in Chapter I arise out of this.*

In order to understand the full significance of the above conclusion we must study those systems in greater detail. But before proceeding to begin that study, it is necessary to get an approximately accurate or at least a rough picture of the Indian land system existing prior to British rule. Having got that picture, we shall take a bird's eye view of the details of the land tenures established under British rule and then analyse, in the background of the existing land relations, the role of the agrarian legislations of the Congress Government.

### 3. THE ANCIENT SYSTEM

Historians differ as to the nature of ancient land system in India. It is beyond the scope of this book to go into the details of that controversy. From all evidences it is presumed that land was the common property of the village communities, though cultivation was not common since the



*Vedic period.* Individual holdings were separated and private holdings under the common village ownership came into being.

Eminent authorities on the question, like Baden-Powell and Radha Kumud Mookerjee, maintain that private property and peasant proprietorship existed in India even in the Vedic period. There are other authorities who maintain that land was the property of the king, i.e., the state. Evidences from scriptures and ancient philosophical works are quoted in support of all the different points of view.

*Manu Smriti* maintains that "land is the property of him who cut away the wood or who tilled and cleared it." (Chap. 9, Verse 44.) But Yajnavalkya says that land belonged to the king and the tiller possessed only the usufructuary right for life. It seems that this view is supported by Kautilya. In his *Arthashastra* (Chap. I, verse 47) it is maintained that "Land may be confiscated from those who do not cultivate them and given to others; or they may be cultivated by village labourers and trades, lest those owners who do not cultivate them might pay less." And further "Land prepared for cultivation shall be given to tax payers only for life."

But somewhat different view was maintained by Jaimini's *Purva Mimamsa* (VI. 7, 3) which states that "the king cannot give away the earth because it is not his exclusive property but is common to all beings enjoying the fruits of their own labour on it." \* It may mean that state ownership was not totally absent, but limited by or combined with the common ownership of the village. This was the ancient Indian tradition which Marx described as the Asiatic system.

It is quite probable that land system had undergone modifications in course of millenniums; during Kautilya's time the authority and the power of the king increased, new planned settlements of fallow land and forest became widespread and these factors increased the element of king's ownership, without negating the rights of the village communities. The individual peasant was enjoying the right of use as long as he cultivated the land. No peasant could be

\* Quoted in *Indian Land System* by Radha Kumud Mookerjee, p. 23.

ejected unless he neglected cultivation. The king's share of the produce, or the land revenue, was  $1\frac{1}{4}$ ,  $1\frac{1}{6}$  and  $1\frac{1}{10}$  at different periods. It should not however be assumed that the peasants were free, happy and prosperous at all times. There were tribes enjoying no social status and forced to work as semi-slaves or semi-serfs, resembling both but different from slaves under the Roman empire as well as from serfs of the European middle ages.

In short, it was the "Asiatic system" that prevailed, somewhat different from European slavery and European serfdom.

In this connection it must be remembered that before the Vedic period, there was the epoch of the Indus Valley civilization about whose land system very little is known.

During the Gupta period and subsequently, something akin to feudalism developed but not exactly the same variety as that of Europe. Local chieftains, from the central power came to possess the king's powers and privileges over land, subject to payment of tributes to the central power. The village communities remained at the base but it appears from latest historical data that there were large territories where the village communities disappeared in course of time.

Professor Karuna Mukerji gives the following picture of land tenure existing in ancient India prior to the Muslim period:

"There was the king having no property right in land, except the right to a share of the produce.

"Below the king were the cultivators (*Khud kasht* — owner cultivator — *rai-yats* or members of joint village community), having the actual ownership of land which is today broadly described as permanent and heritable *occupancy* right.

"The king's customary share was equal to  $1\frac{1}{6}$ th to  $1\frac{1}{4}$ th of the produce, which was known as customary *pargana rate*.

"It may be noted that:

"(1) In certain parts of East and West Punjab, C.P. (now Madhya Pradesh), U.P. (e.g., Agra) and Southern India, all village lands were jointly owned by village communities.

(2) In Bombay, Berar, Madhya Bharat (Central India), Madras and (West and East) Bengal, there was individual ownership of land,

subject to payment of king's share and periodic or occasional payment of a share of the produce to the village chief or head-man." (*op. cit.*, p. 1)

Barring the reference to king's property, the above passage gives a fairly accurate picture of the land system which had come into being through the vicissitudes of the millenniums from ancient times up to the eve of the Muslim (i.e., the medieval) period. It is no use discussing the question whether land was state property or king's property—firstly, because the modern conception of absolute ownership of property in land could not have arisen in ancient times; secondly, because the ancient systems could not but have undergone some modifications in course of thousands of years—in spite of the stagnant nature of Indian society based upon isolated village communities. For example, the village communities would many times be destroyed but again spring up almost along identical lines.

That the Asiatic system did not remain constant throughout the whole ancient period is corroborated by Prof. D. D. Kosambi, one of the leading scientists of India, engaged in historical researches. He says:

"By the time of the *Manu Smṛiti* (between 200 B.C.-200 A.D.) the great central state had vanished along with its basis, the *sita* land.\* All land is taxed more or less uniformly, but more lightly than before; the king, though absolute in theory, is a mere princeling. Cash payments by the state have dwindled to nothing, the two great central armies of bureaucrats and soldiers have disappeared. State officials are paid in perquisites and a share of the revenue, while the army is dispersed in local garrison (*gulma*) which the Mauryan state did not need. A further symptom of feudalism is that taxes for the labourer and artisan are not in cash but in the form of so many days' labour for the state—the *corvee*."

And further:

"It should be noted that the *density of commodity production*, i.e., *commodity production per head*, had greatly decreased in spite of increased population and more use-values produced. The village artisan had his share of the land; his relation to the ultimate consumer was direct, being local. The king is only nominally the owner

\* I.e., new reclamation land under the Maurya Empire.

of all land, which was settled in village communes for the main food-producing portion. However, there are also private holdings in land while cattle are not communally owned, the unit of ownership for both being the large patriarchal upper-caste family household into which the ancient clan-*gotra* had been fragmented by the development of new forms of property. In fact, even the large household is doomed to gradual extinction by the rise of individually earned property, the *riktha* of the *smritis* which thus show conflicting views on inheritance. The family holdings, though assigned by the commune in theory, had become hereditary and furnished the real source of future change." (*ISCUS*, Journal of the Indo-Soviet Cultural Society, January 1954.)

We have given above an extensive quotation from Prof. Kosambi in order to acquaint the reader with the opinions of an eminent authority on the question of ancient Indian history. The author of this book is incompetent to judge the correctness or otherwise of the above statement, but it is the result of latest researches of a specialist on the subject and therefore it has to be taken seriously. In any case, it throws significant light on the Asiatic system which Marx had spoken of.

#### 4. THE MEDIEVAL SYSTEM

Latest historical researches by eminent historians show that: in the Muslim period there was a revival of trade and expansion of money economy, though the barter system still prevailed. Commutation of produce-rent into money-rent increased the economic powers of the rent collectors and revenue farmers, the zamindars. Individual property of zamindars came into being and with that the jagirdars too. King's officers enjoying land-gifts for services, emerged as a new class akin to landlords. But the occupancy right of the *khud kasht* ryot—i.e., a tenant cultivator resident in the village did not disappear. The village communities, in the opinion of Prof. Kosambi, "survived only in partial form or in poorly settled localities away from the main trade routes, or where Muslim conquest had been absent or transient." (*Ibid.*)

Prof. Karuna Mukerji gives a fairly accurate and de-

tailed picture of land system under Muslim rule in his book *Land Reform*. He points out that during the Moghul period:

"(a) 'Zamindary' (i.e., state right) developed into king's superior ownership of the entire domain, but the concurrent, hereditary, permanent and long-established right of the 'khud kasht' raiyats in the soil was recognised.

"(b) Old chieftains remained who collected and transmitted local revenues to the ruler.

"(c) Further zamindars and jagirdars came into existence between the state and 'khud kasht' raiyats." (p. 2.)

With the decline of the Moghul empire the local chieftains, who were akin to king's officers, developed into independent feudal lords. The practice of "revenue farming", i.e., letting out estates by the king to powerful individuals for the purpose of revenue collection, in lieu of a share of same, had become regular. These revenue farmers—the zamindars in Bengal, talukdars in U.P., *khots* in the Deccan peninsula, the *polygars* of South Madras—became virtual proprietors of estates, though at the same time the hereditary occupancy right of the *khud kasht* ryot was still respected. The role of these new revenue farmers (or feudal lords) was to look after the protection of the agriculturists and the well-being of agriculture.

"In the Punjab, C.P., (now Madhya Pradesh) and some parts of U.P. (e.g., Agra) there were joint village bodies having proprietary rights in land but certain headmen or chieftains arose claiming loose overlord rights such as *lambardars*, *malguzars* and *talukdars* respectively." (*Ibid.*, p. 3)

Under Muslim rule, land system in India was divested of much of its primitiveness, characteristic of the Asiatic system, and developed further towards "feudalism" resembling in some respects its classical form in the west, though never being identical with it. Some of the most essential changes that had taken place in this period are described below. Lest there be any misunderstanding, it must be reminded at this stage that the developments under Muslim rule did not constitute a sudden departure but a continuation of the process already begun, under new conditions.

As distinguished from the earlier system—land revenues were collected, in general, not by state officials but by local chiefs or lieges with whom settlements were made by the central state powers. This system, first appearing after the downfall of the Maurya empire and particularly in the Gupta period (320-650 A.D.) was extended and regularised under Muslim rule. The chiefs or lieges—the subadars, nawabs and princes—in their turn, made settlements with the lower lieges who also too often became independent rulers, e.g., the famous twelve *Bhuiyas* of Bengal. This feudal character of Indian society developed to the extent the central power had declined in authority and prestige.

As distinguished from the earlier system, assessment of land revenue was more systematised and standardised. This process was initiated under Sher Shah (1540-45) and perfected under Emperor Akbar. During the latter's reign, Todar Mal's assessment was based upon a calculation of 10 years' average produce,  $\frac{1}{3}$  of this average produce was determined as the state-revenue payable in cash. Replacement of produce rent by money rent is an important development in this period, signifying the growth of money economy to a certain extent. This method of assessment was applied in case of land which was in continuous cultivation. But in the case of land which, on occasions, remained fallow, full rents were collected only in the year of cultivation and no rents were charged during the *paranti*, i.e., fallow period.\* In case of land out of cultivation for 5 years, a reduced rate was charged to encourage cultivation.

We have seen in the foregoing section that Kautilya's *Arthasastra* prescribed ejectment of the peasant for the failure to cultivate. This meant a new development from the Vedic stand as interpreted by *Purva Mimamsa* wherein peasants' land was inalienable. Under Muslim rule, i.e., in the medieval period, ejectment seems to have been replaced by corporal punishment.† This may be a reflection of the growth of elements of serfdom in agrarian relations.

\* Cf., *Indian Land System*, by Radha Kumud Mookerjee, p. 35.

† *Ibid.*, p. 30.

It will however be wrong to assume that Akbar's revenue system became the uniform system throughout his empire.

On the whole, estates were divided into three categories—*khas mahals*, zamindaris and jagirdaris. The *khas mahals*, i.e., crown lands, were those where the *zabti* system of assessment, i.e., Akbar's regulations were applicable. Zamindaris were the estates of the chiefs who did not accept any service from the central state power or *mansabdari* under the imperial government, but became the rulers in their own domains, subject to the payment of tributes to the emperor. Jagirdaris were those estates which were given to *mansabdars* (i.e. administrators under the imperial government) in lieu of payments for their services. The jagirs were given in perpetuity and the jagirdars maintained their own systems of revenue assessment and collection.

In the ancient period a certain degree of uniformity in land relations prevailed through tradition and customs of the village communities, in spite of the fact that centralisation of the state did not and could not advance as far as the Moghul empire. But under the Moghul empire, with the growth of feudal characteristics as distinguished from the tribal and clan features of the ancient times, the element of heterogeneity had increased. Customs were being replaced more and more by regulations from above and they became transformed into new customs and new traditions in course of time.

The one salient feature of agrarian relations that continued from early Hindu rule up to the end of Muslim rule was the fact that the despots and tyrants, the zamindars and jagirdars, all the men at the top, were concerned with the development of agriculture, the maintenance of an irrigation system, reclamation of wasteland and construction of roads, etc. Every ruling chief had to maintain three departments—the department of public works, the department of war and the department of revenue—the latter two being departments of plunder.

With the decline of the Moghul empire—tyranny increased, feuds became the normal order of the day, for one hundred years, up to the battle of Plassey. Peasants suffered under the whims of tyrants, revenue agents and assignees. They were over-assessed. Akbar's maximum  $1\frac{1}{3}$  became the minimum. From Aurangzeb's time  $1\frac{1}{2}$  became the normal assessment. Bernier's accounts give ample evidence of this state of affairs beginning in Aurangzeb's time. Social conditions of this epoch are brilliantly reflected in Mukunda Ram Kavikankan's *Chandi-Mangala*, a piece of Bengali literature of the 17th century.

This tyranny or Asiatic despotism of the 17th century was however based upon a social background different from its European counterpart of the same epoch. England, for example, was then passing through the rapid extension of money economy and commodity production, primitive accumulation of capital in possession of the trading class and the consequent growth of the new class, the bourgeoisie. From the 16th century onward, renaissance backed by mighty peasant revolts on the continent of Europe, brought new enlightenment and new values in social relationship. The stage was thus being set for an industrial revolution and the development of capitalism. The feudal social order was thus undermined by new forces growing within its womb and in opposition to it.

But in India—all the developments narrated earlier had been taking place within the framework of the Asiatic system which contained, among other features: unity of industry and agriculture (the peasant and the artisan was one and the same), the villages were almost self-sufficient units, the village communities, though they had vanished from many parts of India, acted as a brake on social progress by preserving a self-sufficient economy. Even in those areas where the village communities lost the status, or, were not in existence, the tradition of isolation and self-sufficient economy continued, so that, though not in the same form, the essence of economy of village communities was in existence. Despite the growth of money economy, despite the



relative advance of commodity production and despite the emergence of feudal overlordship over the peasantry, the social base remained ossified; the ancient relations, such as caste system, untouchability, tribalism of the oldest times, etc., did not disappear but continued in the bosom of the unchanging village. Unlike the *new* tyrants of Europe, i.e., merchant adventurers, the greed of the Indian tyrants was not for money but for landed estates. Muslim rule did not and could not bring any fundamental change in the social order of a few thousand years old. The class that remained the most influential in Indian society even during Muslim rule was the landholding class—landholding in the sense mentioned earlier.

The difference between the Indian and the European scene in the 17th century is, of course, not accidental. It has its root in the historical development of the previous epoch. But that subject is beyond the scope of this book.

The purpose of the present enquiry is to get an idea of the conditions which existed when the British subjugated our motherland and unsettled the existing land relations. In this respect, Radha Kumud Mookerjee, a defender of the permanent (zamindari) settlement, has arrived at an interesting conclusion. He says:

“Akbar’s Zabti or Regulation system was a system of state-landlordism aiming at direct settlement with the individual cultivator. But it had a most limited operation, as shown before, while Akbar’s successors preferred to depend upon the intermediaries and did not approve of the Ryotwari system. The village headman became more important than the individual cultivator. There was also going on an important change in another direction. Annual or temporary settlements made them unpopular and the system of intermediaries almost broke down at the time of Aurangzeb till it was revived and strengthened by permanent settlement. On the basis of this principle of permanent settlement, the different classes of intermediaries, chiefs, farmers, jagirdars or assignees were also being grouped into one class designated by the common name of zamindars. Thus long before British rule, the principle of permanent settlement was an established principle and the growth of the landholders as a homogeneous body out of the heterogeneous body of different classes of intermediaries became an accomplished fact.” (*op. cit.*, p. 43.)

The above account shows how a class of landed aristocracy had grown during Moghul rule and became strongly entrenched into the society in course of the decline and disintegration of the Moghul empire. But the term "permanent settlement" used by Dr. Mookerjee in the above passage is misleading. Because, as we will see below, the permanent settlement established by Lord Cornwallis in 1793 is radically different from that kind of "permanent settlement" which was in vogue at the time when the British East India Company took over the *Dewani* of Bengal, Bihar and Orissa in the year 1765.

It is to be noted that the system that had developed under the Moghul emperors had the following characteristics:

*Firstly*, land belonged to the peasant, in the sense, that he enjoyed *hereditary occupancy right* if he was a resident of the village. Even his rent could not be increased by the zamindar beyond the customary level (*Nirikh*).

*Secondly*, land could neither be purchased nor sold. Generally the peasant was not evicted, even if he was evicted for the failure to cultivate, land was not to be resumed as the *khas* land of the zamindar, but another peasant had to be invested with its occupancy right. In short, *land never passed out of the hands of the peasantry*.

*Thirdly*, the zamindars whose tributes to the ruler were fixed were themselves petty rulers and had to fulfil the traditional duties of a ruler for the betterment of agricultural operations.

If these features of the land relations, that had finally taken shape at the close of medieval period, are remembered, the monstrous nature of the permanent settlement by Lord Cornwallis can be easily detected. Because under the British system at its inception three major changes had taken place.

*Firstly*, the peasants lost their rights—they were summarily expropriated. Enhancement of rent was left at the mercy of the zamindars.

*Secondly*, land became a commodity, i.e., it could be sold and purchased, the peasants were too frequently evicted, land thus passed out of the hands of the peasantry.

*Thirdly*, the old aristocracy was mostly replaced by a new aristocracy who bore no responsibility to agriculture either by tradition or by law. They were made the perpetual proprietors of the estates, the land revenue demand of the state being fixed in perpetuity.

To obviate misunderstanding it must be pointed out that the peasantry, under the older system, was not living in a paradise. A crisis was developing with the decline of the Moghul empire and the peasantry was at the mercy of the despotic Nawabs. In Bengal, under Murshid Quli Khan, increased land revenue demand on the zamindars was ultimately transferred to the peasantry.

## 5. UNDER BRITISH RULE

### a) *The Beginning*

A special feature of the Moghul zamindari system was that "zamindari right" carried with the *de facto* right to rule over the people and this right could be obtained from the emperor by a *firman* on the promise to pay the revenue. The British traders were clever enough to detect the loosening hold of the imperial throne at Delhi and the growing feuds among the petty chiefs. Feuds among the Moghuls, Marathas and Afghans enabled the British East India Company to obtain a firm foothold by building factories and forts.

The Company's first decisive step was the assumption of zamindari rights over Calcutta, Gobindpur and Sutanati from the Subadar, Nawab Azim-ush-Shan, in the year 1697. These three towns (or rather villages) belonged to the Nawab as jagir by imperial grant. Hence the Nawab was legally entitled to make this transaction. The Company appointed Ralph Sheldon as the first zamindar of the three towns. This was the first breach in the old system. The change was not only that a foreigner had become a zamindar—it was far more significant and penetrating than

that. The new zamindar had the sole interest of making money out of the zamindari and no respect for the traditions of the country. A class of "moneyocrats" took the place of the old aristocrats.

The company went on extending the zamindari, until the possession of the zamindari of 24 Parganas by means of a secret treaty with Mir Jafar in 1757, gave them a key position in the province. After the Battle of Plassey, the terms of the secret treaty were given effect to. The text of this treaty as given in Hill's *Bengal in 1756-57* runs as follows:

"That the Country to the South of Calcutta, lying between the River and the Lake and reaching as far as Calpee, shall be put under the perpetual government of the English, in the manner as now governed by the Country Zamindars, the English paying the usual rents for the same to the treasury." (Quoted in *Indian Land System* by Radha Kumud Mookerjee, p. 50)

In the year 1759, these new zamindars of Calcutta and 24 Parganas—the British East India Company—took another step, the full significance of which could not be understood by anybody at the time. These zamindaris were thrown to public auction and farmed out to the highest bidders. The Company's *banyans* and other speculators got the lots. The peasants were literally robbed to pay up the dues to the Company and were often forced to abscond. Thus a new regime had set in, a new type of zamindars, a class of money grabbers, the urban rich, not interested in agriculture, became landlords. Before the country's independence was formally lost, real subjection to the British began by the introduction of a new zamindari system, a new feudal landlordism in total disregard of the peasants' traditional rights. The old ossified Asiatic system, in existence for several millenniums, crumbled down. The village community for the first time in history, lost its social background. Land became a commodity.

The "moneyocrats" from England were in need of money and more money. They needed money to pay the stipulated revenues to the titular Nawab. They needed money to purchase goods in this country for exporting abroad. They

needed money to maintain armies in order to resist the rulers of this land. They realised it from the new *ijaradars* to whom the zamindaris were farmed out by public auction. The *ijaradars* added their own need and realised the whole amount from the peasants.

This was merely the beginning.

The unsatiating greed for money led the Company to look for wider opportunities. In 1764 Raja Daulat Ram, father of Maharaja Raj Ballabh, the co-conspirator of Mir Jafar, advised the Company to seek from the emperor a *sanad* for the *Dewani* of Bengal.

The office of the *Dewani* was created as a separate office by Emperor Akbar, as the department of land-revenue and directly responsible to the emperor. It was created for the purpose of putting a check on the powers of the Nawab, who might otherwise develop as a rival and a rebel.

In 1765, acting on the advice of Daulat Ram, Robert Clive secured from the emperor, Shah Alam, the *Dewani* of Bengal for the East India Company.

Thus, an instrument, which was created by Akbar to maintain the authority and powers of the imperial throne, as a weapon against feudal disintegration, became transformed into a weapon, in the hands of British traders, to give a death blow to the country's independence.

*Dewani* was no doubt a feudal instrument, a sort of overlordship of the zamindars. As long as it remained in the hands of persons loyal to the imperial throne, it helped the central despot to withstand feudal disintegration of the Asiatic system. But whenever it fell into the hands of a local despot aspiring for his manorial independence, the same weapon turned into the opposite. With the decline of the Moghul imperial power at Delhi, due to the inherent weakness of the Asiatic system based upon despotism, feudal disintegration of the country was running riot. Nawab Murshid Quli Khan (1701 or so) himself assumed *Dewani* and became virtually independent. He replaced in many cases the old zamindars by new ones who promised to meet

his exorbitant revenue demands. The process continued till the time of Nawab Kasim Ali Khan (1760-1763).\*

Probably, the process was checked during the rule of Ali Verdi Khan and Siraj-ud-Daula and was resumed after Mir Jafar had got the *gaddee* with the help of the British by committing treachery against the motherland.

The British East India Company after securing the *Dewani* of Bengal stepped into the shoes of Murshid Quli Khan, and even surpassed him.

Revenue demands of the Company were unlimited. In order to meet the demands, the zamindaris were frequently sold by public auction to the highest bidders. Their sole aim was to collect "the largest amount of money in the quickest possible time." Breaking all previous traditions, the collection was made even directly from the farmers, i.e., the *ijaradars* under the zamindars. To use the words of Shri Asok Mitra, "It shifted from zamindars to farmers when the latter could pay, and from the latter to the former when they could not." \*\*

The above process was recklessly continued up to 1789, when the old zamindars were replaced by new farmers of revenue, mostly by the *banyans* to the officials of the East India Company. Only a few of the old families, e.g., the Maharaja of Burdwan, retained their zamindaris by keeping pace with the change of times by satiating the greed of the Company in utter disregard of the conditions of the peasants who were hit hard by the increased demands for rent, though the Burdwan family had to face troubles.

Most of the new zamindars, the collaborationists of the East India Company, had grown rich by trading with them or lending them money. Imports from England and exports to that country, under the auspices of the Company, became instrumental in strengthening commodity relations and money economy; the new economy ruined the rural artisans, smashed the unity between agriculture and industry and broke the isolation of the villages. These processes might

\* Vide, *Census of India, 1951, Volume VI, Part IA, p. 436.*

\*\* *Ibid.*, p. 437.

have set new forces in motion and paved the path of industrial revolution, as was the case in Europe. But the new usurpers of power being foreigners, industries were ruined, dispossessed artisans enhanced the pressure on land and feudal land relations were strengthened. The new urban rich who usurped the zamindaris became new feudal land-owners who were worse than the former zamindars; they were money sharks without any interest either in industry or agriculture.

The new zamindars became the prop of Company's tyranny and plunder which were described by Walpole as "making one shudder".

In the wake of this plunder and tyranny, came the great Bengal Famine of 1770, as a result of which 35 per cent of the total and 50 per cent of the agricultural population died of starvation and more than one-third of cultivable land was deserted. By 1776 the area of deserted land "exceeded half of the whole tillage." \* The great Bengal Famine of 1770 was followed by famines in 1784, 1787 and 1788.

But the people resisted the foreign oppressors, though men at the top betrayed. The great Fakir and Sannyasi Rebellion developing between 1772 and 1789 was India's first agrarian and national revolt after the British subjugated our land; the first revolt was manned by the illiterate peasant masses, it acted as the harbinger of a new national consciousness, however primitive and crude might be the ideas of those great insurrectionists. This event may be considered as the beginning of the other side of British rule. It was the beginning of Hindu-Muslim unity against British rule for the liberation of the motherland. It revealed, as if in a flash, the role of the struggle for agrarian reform as the main axis of the movement for national liberation.

#### b) *Permanent Settlement (Zamindari)*

The crisis of agrarian relations ultimately forced the Government to make a settlement. The idea of a permanent

\* Census of India, 1951, Vol. VI, Part I A, p.438.

settlement with the zamindars originated from the need felt by the new rulers. The need was felt for the creation of a class loyal to the Government, standing between the Government and the people, as a shock absorber. The need was felt for such a class growing rich at the expense of the people, self-controlled, assuring a fixed revenue to the Government. Annual and five-yearly settlements failed to fulfil the expectations. In the year 1765, the gross revenue claimed was Rs. 26.8 million, but in 1784 only Rs. 24.5 million was realised.

In order to realise the revenues inhuman extortions continued both upon zamindars and upon peasants. The zamindars who failed to meet the Company's demands were expropriated. One illustration will be sufficient to give an indication of the nature of oppression on the peasants. In 1781, Debi Sing was appointed the *ijaradar* (revenue farmer) of Rangpur and Dinajpur. Debi Sing's method was first to imprison the defaulting zamindars, beat them until they agreed to collect the full amount. If they still failed—the next step was to confiscate their estates and then oppress the peasants for the payment. An estate worth Rs. 1000 was purchased by Debi Sing or by men selected by him at Re. 1. This was followed by oppressive measures against the peasants. Edmund Burke had given vivid pictures of the horrible oppression of this period, during the impeachment of Warren Hastings.

"The peasants were left with little else than their families and bodies. The families were disposed of. It is a known observation that those who have the fewest of all other worldly enjoyments are the most tenderly attached to their children and wives. The most tender parents sold their children at markets. The most fondly jealous husbands sold their wives. The tyranny of Mr. Hastings extinguished every sentiment of father, son, brother and husband. I come now to the last stage of their miseries; everything visible and vendible was seized and sold. Nothing but the bodies remained." (Edmund Burke's speeches, quoted in the Appendix of *Maharaj Nand Kumar* by Chandi Charan Sen.)

And further,

"Accordingly in plain terms, he (Debi Sing) opened a legal



brothel, out of which he carefully reserved the very flower of his collection for the entertainment for his young superiors." (*Ibid.*)

And further,

"On the same principle and the same ends, virgins, who had never seen the sun, were dragged from the inmost sanctuaries of their houses; and in the open court of justice, in the very place where security was to be sought against all wrong and all violence (but where no judges or lawful magistrate has long sat, but in their place the ruffians and hangmen of Warren Hastings occupied the bench) these virgins, vainly invoking heaven and earth in the presence of their parents and whilst their shrieks were mingled with the indignant cries and groans of all the people, publicly were violated by the lowest and wickedest of human race." (*Ibid.*)

These are the things that had happened under the rule of the British East India Company with the aid of a gang of revenue farmers, who were helped to get the zamindaris. Even then, these farmers failed to extract the sum. Against these oppressors, the peasants of Rangpur and Dinajpur rose in revolt in 1783; this was the second peasant revolt in Bengal, after Fakir and Sannyasi Rebellion. The revolt was, of course, suppressed but the stipulated revenue was not yet forthcoming.

So the directors of the East India Company felt the need for a permanent settlement with the zamindars—the very men whom Burke had indicted along with the officers of the Company as the wickedest of the human race. The revenue that was so settled amounted to Rs. 26.8 million for Bengal, Bihar and Orissa, while the actual realisation in a year with the old zamindars yet in possession of their estates was only Rs. 6.5 million. The permanent settlement demand represented 10|11 of the rental.

The Superintendent of Census, 1951, very aptly remarks that:

"On such a background Cornwallis naturally could not get the ancient zamindars, who had already been broken, to toe the line and created a new class of farmers, who unhampered by tradition or conscience ('roots that clutch') could be ruthless, with whom he could mortgage the future of agricultural development for all time, who, he fondly hoped, would, with time, which was not in an hour-

glass but in perpetuity, eventually transform itself into a squirearchy, and whom he could trust to reduce the country to an agricultural land and to draw more and more people away from indigenous trade, commerce and industry and leave the spheres so abandoned to be filled up by manufactured imports from England and abroad." (*Census of India*, 1951, Vol. VI, Part 1 A, p, 439.)

In exchange for this service, the zamindars were given the full proprietary rights over the estates, while the peasants were reduced to the position of semi-serfdom. The object was two-fold; firstly the required revenue should be forthcoming, the zamindars, having got the full proprietorship, will be able to get new lands reclaimed by extorting landless peasant paupers and thereby increase the revenues; secondly, this new bait will attract people possessing money to invest the same in the purchase of zamindari or any other intermediary right instead of in trade and industry.

It has also been maintained in a previous section that the political objective was to create a class of loyal supporters. It was Lord Cornwallis himself who pointed out:

"In case of a foreign invasion, it is a matter of the last importance, considering the means by which we keep possession of this country, that the proprietors of the lands should be attached to us from motives of self-interest. A landholder who is secured in the quiet enjoyment of a profitable estate could have no motive for wishing for a change. On the contrary, if the rents of his lands are raised in proportion to their improvement, if he is liable to be dispossessed, should he refuse to pay the increase required of him, or if he is threatened with imprisonment or confiscation of his property on account of balances due to Government upon an assessment which his lands are unequal to pay, he will readily listen to any offers which are likely to bring about a change that cannot place him in a worse situation, but which holds out to him hopes of a better." (Quoted in *Indian Land System* by Radha Kumud Mookerjee, p. 94.)

It has also been maintained in a preceding paragraph, that one of the aims of the permanent settlement was to divert the money capital accumulated in the hands of the new class of rich men in the city, into agricultural channels. It would serve, the ruling circles thought, two-fold objectives: firstly, it will keep India an agricultural country, a raw materials appendage to British industry and a market

for Britain's industrial goods; secondly, agricultural crisis hampering expansion of revenues would be removed by investment of capital for agricultural purposes. History has shown that the first objective was fulfilled, while second was not.

These objectives were clearly expressed in the Preamble to Regulation II of 1793. It contains the following:

"In the British territories in Bengal, the greater part of the materials required for the numerous and valuable manufactures, and and most of the other principal articles of export are the produce of the lands. It follows, that the commerce and consequently the wealth of the country must increase in proportion to the extension of agriculture.

"The extensive failure or destruction of the crops that occasionally arises from drought or inundation is in consequence invariably followed by famine, the ravages of which are felt chiefly by the cultivators of the soil and the manufacturers, from whose labours the country derives both its subsistence and wealth. Experience have evinced that adequate supplies of grain are not obtainable from abroad in seasons of scarcity, the country must necessarily continue subject to these calamities, until the proprietors and cultivators of the lands shall have the means of increasing the number of the reservoirs, embankments and other artificial works by which, to a greater degree, the untimely cessation of the periodical rains may be provided against, and the lands protected from inundation; and, as a necessary consequence, the stock of grain in the country at large shall always be sufficient to supply those occasional but less extensive deficiencies in the annual produce, which may be expected to occur, notwithstanding the adoption of the above precautions to obviate them. To effect these improvements in agriculture, which must necessarily be followed by the increase of every article of produce, has accordingly been one of the primary objects to which the attention of the British administration has been directed in its arrangements for the internal government of these provinces.

"As being the two fundamental measures essential to the attainment of it, the property in the soil has been declared to be vested in the landholders, and the revenue payable to Government from each estate has been fixed for ever. These measures have at once rendered it the interest of the proprietors to improve their estates, and given them the means of raising the funds necessary for that purpose.

"When extension of cultivation was production only of a heavier assessment, and even the possession of the property was uncertain, the hereditary landholder had little inducement to improve his

estates; and moneyed men had no encouragement to embark their capital in the purchase or improvement of land, whilst not only the profit, but the security for the capital itself, was so precarious. The same causes therefore which prevented the improvement of land depreciated its value." (Radha Kumud Mookerjee, *Op. Cit.*, p. 105)

From the above extract it is known that the aim of the permanent settlement was to induce the moneyed men to invest capital in agriculture. The framers of the Regulation expected that this would enable them to get substantial revenues unhampered by famine, etc. The peasant was totally ignored, the hereditary occupancy right the peasants had been enjoying was annulled. The controversy, at that time, in the midst of the ruling circles, was between two views — whether land belonged to the state and the zamindars were mere collectors; or the zamindars were proprietors. Mr. Grant advocated the former and Sir John Shore, the latter. But the historical fact of the existence of hereditary occupancy right of the peasant and the common ownership of the village communities were totally ignored. By a stroke of the pen, the process of reckless expropriation of the peasantry adumbrated since 1765, with the assumption of *Dewani* by the British East India Company, was regularised and given the stamp of statutory authority, because, it was taken for granted that the zamindars would invest capital in agriculture.

The permanent settlement was thus a conspiracy against both the tillers of the soil and the entire people. The peasants were looted and the entire people cheated.

But the expectations of Lord Cornwallis and his accomplices were only partly fulfilled. Industrial development was successfully scotched and new riches of the urban aristocrats diverted to agriculture. But capital was invested not for agricultural development but for the farming of rentals. The *talukdar*, the *patnidar*, the *dar-patnidar* and a long chain of intermediaries cropped up. About a century later, Robert Knight, the editor of the *Statesman* in the eighties of the last century lamented—"the zamindar has carelessly sub-let to the *patnidar*, and the *patnidar* to the men below him, until we have a mass of middlemen tenure-

holders to deal with, who would never have come into existence at all, had the zamindar wisely enhanced his rentals as money changed in value, and as the acreage under tillage become wider by the growth of population. The zamindar's sin has been his careless neglect of his own interest." (Radha Kumud Mookerjee, *op. cit.*, p. 105.)

In other words, the moneyed men from the city failed to become agrarian capitalists and preferred, as it were, to remain feudal landlords. This was only natural because under the land system that was established subletting was less risky, more profitable than the employment of wage-labour.

In course of time, commodity economy began to expand, industrial revolution in England created increasing demand for foodgrains and raw materials from India, the volume of exports of agricultural produce began to increase. Consequently, the money value of agricultural goods went on rising, while land-revenue due to the state remained fixed. Within a century, the value of money measured in terms of commodities had been reduced by 75 per cent. Consequently, the zamindars and other intermediaries gained at the expense of the state and the peasantry. The state lost because its revenues in terms of money were permanently fixed while the value of money had drastically fallen. The peasant lost because rents were not regulated and the new increment of values was transferred to the hands of the zamindars and intermediaries.

Many British statesmen had foreseen these developments soon after the introduction of permanent settlement and the experiment was subsequently stopped. It was introduced in Bengal, Bihar, Orissa, Banaras and North Madras, but not in other areas. Temporary settlements of the zamindari variety were made in U.P. and also in some parts of Bengal. But the ryotwari system began to get the official favour.

### c) *Ryotwari Settlement*

The ryotwari system was introduced in Southern

Madras, Bombay, Berar, East Punjab and portions of Assam and Coorg.\*

Under the ryotwari settlement, the ryot is directly under the state. Land revenue is assessed on each separate holding held by the ryot. He is recognised as proprietor, i.e., he can sublet, mortgage or transfer it by gift or sale. He cannot be ejected so long as he pays a fixed assessment. It must be noted that the peasant under the zamindari system did not get these rights, these rights belonged only to the tenure holders, i.e., the zamindars and other intermediaries, when permanent settlement was introduced. But subsequent reforms had given these rights to a section of the tenants called occupancy ryots.

Ryotwari settlement is a temporary one. So is the mahalwari settlement which closely resembles ryotwari in real essence. The period of settlement (before Congress agrarian reforms) varied between 20 to 40 years. It was 20 years in Madhya Pradesh, 20 years in Bombay, Madras and U.P. and 40 years in the Punjab.

Peasants in the ryotwari areas should not be considered as more fortunate than their class brothers in the zamindari areas. The greed of the British rulers ruined them both economically and physically. R. C. Dutt has given a vivid description of the disastrous consequences of British rule in the ryotwari areas. He has summed up his contention in the following words:

"Nature set a limit which the cultivators had not obtained from the moderation of their rulers. Population decreased in Bombay and still more in the Central Provinces. Miles of cultivated land became waste. Jungle grew on homesteads, wheat lands and rice lands." (*India in the Victorian Age*, pp. 534-35.)

It shows that when the ryotwari system was introduced in certain Provinces—the peasants had to undergo the same sufferings as in the other Provinces. The influential circles of the ruling class, however, did not want to extend either permanent settlement or zamindari tenure because they

\* Also in Sind, now in Pakistan.

were for expanding revenues under conditions of growing exports and rising prices.

We have already stated that ryotwari tenure vests (nominally, of course) proprietary rights on the peasants. But this proprietorship was very soon lost to the same elements who had become zamindars in Bengal, Bihar and Orissa, i.e., the new urban rich, particularly the moneylenders, were prominent in this respect in the ryotwari areas. A class of landlords has grown in the areas and the actual tillers of the soil are mostly without proprietorship.\*

The Bombay Government in a statement to the Famine Enquiry Commission (1944) made the following observations:

"The tenant who cultivated land on lease, which is generally annual, is not sure how long the lands would remain in his possession as the landlord has the power to resume the lands at the end of the year after giving three months' notice to the tenant. The tenant has thus no permanent interest in lands. In many cases, lands are leased on the crop-sharing basis. If the tenant sows improved seed or puts in good manure or extra labour to improve the land, half of the increased produce so obtained at his cost goes to the landlord, and the tenant does not get a proper return on his labour and enterprise. The absentee landlord cares only for his annual rent and takes no interest in the improvement of his land or the introduction of improved methods of cultivation." (Famine Enquiry Commission, Final Report, p. 269.)

It is a revealing picture about the status of the actual tillers of the soil under the ryotwari system which is supposed to be based upon peasant proprietorship.

Gujarat, being a part of the Bombay Province, is under the ryotwari system. But the pre-merger Gujarat, i.e., during direct British rule, there existed about a dozen types of feudal landlords, owning about 26 per cent of the land. In 1947-48, 60 per cent of the cultivators were tenants. After the merger of the native states under Congress rule, this percentage has slightly dropped, i.e., to 50 per cent. This drop is to be accounted for by the existence of a larger percentage of peasant proprietors in the State of Baroda.

\* Changes in the Congress regime will be discussed later—Author.

Even in present-day Gujarat, landless labourers and tenants together constitute the vast majority of the rural population.

The myth of "peasant proprietorship" under ryotwari system is blown up by the growth of different categories of tenants subjected to feudal extortion. There are four categories of tenants, namely, protected, occupancy, ordinary and the share-cropper.

The occupancy tenants are, in theory, proprietors but the land-owning chiefs, the *thakors*, have restricted the rights accompanying the concept of proprietorship. For example, when an occupancy tenant transfers his property, either by sale or by gift, he has to pay *nazarana* to the *thakor*. *Nazarana* is also to be paid at the time of inheritance. It resembles *salami* of the zamindari areas.

The other categories of tenants are actually tenants-at-will. They are to pay 50 per cent of the gross produce as rent to the landowner. In some cases, it is converted into cash rent, but on the basis of the same percentage of the gross produce.

Land relations in Malabar technically come under the ryotwari system. But land in Malabar belongs mostly to the *jenmis*, the landlords. As in Gujarat, there are, in Malabar too, various categories of tenants — occupancy tenants, tenants-at-will and share-croppers.

In Malabar, the enormous extent of feudal domination and the lack of the tillers' security of tenure is staggering. Even if the tenant-cultivator pays in full his rent to the landholder, if the latter fails to pay his dues to the landlord above him, the peasant can be evicted for the former's failure. Even the Government recognises this position. They attach the standing crop of the peasant for the realisation of the arrears of revenue which the *jenmi* has to pay, even if the tenant-cultivator has paid up in time his rents to the *jenmis*.

The prevailing rent, according to law (until Congress agrarian legislation) was two-thirds of the produce, though actually more than this quantity was realised by the land-



lords. It is a fine commentary on the conception of the so-called "peasant-proprietorship" under the ryotwari tenure.

In pepper cultivation, while tenancy terms would specify two-tenths of the produce as the landlord's rent, in actual practice, it is the peasant who receives two-tenths and the landlords eight-tenths. The *jenmi* is to decide whether the rent is to be paid in cash or kind. Naturally, he takes it in the form that is advantageous to him at the given time.

This, however, is not the end of the story. Revenue and taxes due to the Government are transferred to the tenant's share and the *jenmi* leases land with an agreement along this line. Thus, even a surcharge on land tax on the landlord will affect his tenant-at-will. Besides, the tenant has to pay many extra levies to the landlord. By dint of his monopoly over land, the landlord can easily force the peasant to accept such an agreement. The law court recognises the validity of such agreements.

In ryotwari Punjab, land is unusually concentrated in the hands of the feudal landlords. The preponderance of tenants-at-will in the Punjab exposes the hypocrisy of "peasant-proprietorship". The rent, the tenants-at-will have to pay, varies between  $1\frac{1}{4}$  to  $1\frac{1}{2}$  of the gross produce. The cash rent varies between Rs. 40 to Rs. 200 per acre. The cash rent is the highest where a contract system prevails as in the districts of Jullunder, Hoshiarpur and Ludhiana.

There are different categories of occupancy tenants. Some pay cash rents related to land revenue at the rate of two annas per rupee to 12 annas per rupee of land revenue paid to the Government by the landowner. There are occupancy tenants who pay rent in kind, up to 45 per cent of the total produce.

Under the Punjab Land Revenue Act of 1887, the legal rent was fixed at  $1\frac{1}{4}$  of the maximum of estimated money value of an asset. It means a rate varying between 6 annas per acre for waste land to Rs. 5 per acre of irrigated land per year.

From the above accounts it follows that the ryotwari system is far from peasant-ownership. In course of time,

a class of landlords has sprung up though it is adorned with the grand title: "peasant proprietors". The growth of this class has been possible because the peasants were rack-rented by the state, land revenue assessed on them was actually feudal levy in so far as it does not keep any margin of profit to the peasant-cultivators. Moreover, the colonial character of economy (i.e., industrial backwardness, exports of raw materials controlled by foreign monopolies, domination of the market by British capital, almost total lack of credit facilities in the village except those offered by the usurers) is responsible for the expropriation of the peasant-cultivators by moneylenders and other elements of the urban rich. Feudal levies and the domination of the market, i.e., money economy controlled by foreign capital, force the peasants to sell or mortgage their property to the moneylenders, etc., and become tenants or day labourers under them.

There are certain distinctive developments under ryotwari tenure, as distinguished from the zamindari system, permanent or temporary.

The most important of these developments is the fact that in the course of time a section of the peasants has also been able to preserve proprietorship and become either employers of labour or sub-leasers of land to tenant-cultivators. The number of these peasant proprietors is not inconsiderable. Under the zamindari system such a section could not grow until tenancy reforms were adopted by the British Government to confer occupancy rights on certain categories of peasants. There is, of course, close similarity between occupancy ryots in the zamindari areas and the peasant proprietors in the ryotwari areas. Both are vested with a certain degree of security of tenure, safeguard against whimsical enhancement of rents, etc., and possessed with transferable rights including the right to sell.

In spite of this similarity, certain differences are also noticeable. The occupancy ryot under zamindari tenure has frequently been victim of illegal exactions like *abwabs*, etc., the right of sale and transfer is restricted and in many

cases denied, and the feudal powers of the landlords have overburdened him with many kinds of tolls. Moreover, fraudulent accounting, etc., has also deprived him, not infrequently, of his possessions.

Under the ryotwari tenure (or mahalwari), the peasant proprietor is free from the above elements. This has given him the strength for struggling against rack-renting and market-domination with slightly greater advantages than the occupancy ryots under the zamindari tenure. So that, with the extension of commodity economy, as prices increased, while land-revenues remained fixed, the ryotwari peasant proprietor was capable of retaining a margin and the margin increased during a period of boom. Naturally, some of them were able to rise to the position of employers of labour and sub-lessors of land.

But the bulk of the tillers of the soil could not reap these advantages, because the moneylenders and the wholesale traders made it impossible for them to retain any margin. Peasants possessing bigger holdings were able to survive in the struggle against them. But peasants with smaller holdings were not. Even peasants possessing bigger holdings could not retain the land in many cases. Hence, extreme fragmentation and sub-division of holdings prevail in the ryotwari areas as in the zamindari areas. In the ryotwari areas, the majority of the tillers have ceased to be peasant proprietors and a good chunk of the "peasant-proprietors" are not peasants.

One more important difference between the two systems is the fact that in the zamindari areas almost all the sources of cultivation, like irrigation and land, are the private property of landlords. They become an additional weapon in the hands of the landlords to extort the peasants. Moreover, the landlords there did not develop irrigation works, neither did the Government. In the ryotwari areas, though the Government had as a general rule neglected the task, yet facilities for irrigation have been expanded a little in certain areas, no doubt.

This conclusion needs scrutiny. The following table shows the progress of irrigation works in India since 1891:

TABLE XX

<i>Zone</i>	<i>Before 1891</i>	<i>1891-1920</i>	<i>1921-40</i>	<i>Total</i>
	<i>(in lakhs of acres)</i>			
North India	32.5	5.1	18.2	55.8
East India	5.1	7.0	..	12.1
South India	12.6	13.1	2.4	28.1
West India	0.7	1.6	1.5	3.8
Central India	..	0.7	5.9	6.6
North-West India	27.5	9.1	6.4	43.0

*(Census of India, 1951, Vol. I, Part I-A, p. 197.)*

The above table reveals marked inequalities of development in the different zones. The census report explains the difference in the following words:

"One should not imagine this involves arbitrary preference for some areas and neglect of others. North India, North-West India and South India presented much better scope for profitable development than West India and Central India. East India was better provided by nature with rainfalls and soil moistures than other zones and was in need of less works of irrigation." (*Ibid.*)

This explanation is only partially correct. North India (U.P.) which is an entirely zamindari zone, was provided with more irrigation works than West India (Bombay, Saurashtra, Kutch) which is entirely ryotwari. The difference arose because the former offered more profitable scope than the latter. But it is not true to say that East India has got so little need for irrigation. East India consists of Bihar, Orissa, West Bengal, Assam, Manipur, Tripura, Sikkim and Chandernagore. Of these provinces, the major area consisting of Bihar, Orissa and West Bengal do not get the benefit of such abundant rainfall, etc., as to need little irrigation facilities. The fact of the matter is that this zone is almost entirely a permanent settlement area and here the zamindars did nothing to develop irrigation works, the Government too bothered very little about this task. It is interesting to note that South India consisting of Madras,

Mysore, Travancore-Cochin and Coorg, and North-West India consisting of Rajasthan, PEPSU, East Punjab, Jammu and Kashmir, Ajmer, Delhi, Bilaspur and Himachal Pradesh—these two predominantly ryotwari zones have been provided with greater irrigation works than East India.

This conclusion, however, should not be carried too far. But the fact remains that *mutatis mutandis* irrigation works are more neglected in the zamindari area than in the ryotwari area..

What follows? The ryotwari areas being provided with slightly more irrigation facilities than the zamindari areas, a section of the ryotwari peasants was capable of retaining some surplus and of developing cultivation with wage-labour to a relatively greater extent than the occupancy ryot in the zamindari area. The occupancy ryot in the Northern Zone (i.e., U.P.) was not able to grow rich to that extent, despite the fact that this zone got the advantage of irrigation works more than even South India, mainly or largely because in the Northern Zone zamindari system prevails. It is significant that in South India, the proportion of agricultural workers to total population is the largest, namely, 51 per cent, the all-India average being 30.4.

It will, of course, be wrong to draw the conclusion that the proportion of agricultural workers is determined solely by the existence of ryotwari tenure and irrigation facilities. But it cannot be denied that in a ryotwari area—if it possesses greater irrigation facilities, natural or artificial—a peasant proprietor with a big holding is capable of retaining a surplus. Therefore, he is more inclined to employ agricultural workers than the occupancy tenant in a zamindari area. Hence, in the latter areas the general tendency of the landlords and rich peasants is to prefer a share-cropper to wage-labour. The advantage of share-cropping to the landowner is that the cost of cultivation and consequently the risk, is borne by the share-cropper himself, the landlord gets half the share of the produce without spending a pice for cultivation.

A concrete manifestation of the above-mentioned phe-

nomenon is the fact that the landless and poor peasants' movement in West Bengal is predominantly a share-croppers' movement for the increase of their share, while in Madras there is a strong movement of the agricultural workers for higher wages and better conditions of living. Of course, the tenants' movement in ryotwari areas for security of tenure and reduction of rent is also a big force, and the agricultural workers' movement in the zamindari areas is not to be considered as of less importance and significance.

### *Chapter III*

## TENURES AND TENANTS UNDER BRITISH RULE

We have so far given a general description of the two main types of land settlements, namely, zamindari and ryotwari. We do not propose to give any separate account of mahalwari settlement because there is very little distinction between the ryotwari and mahalwari systems in respect of actual agrarian relations and tenancy. The developments under the mahalwari system are the same as those under ryotwari.

We shall now study the variations of tenures and tenants that have grown under the above two major systems. That study will reveal the complex and diverse character of land relation typical of a feudal society that has grown on the ruins of an ancient Asiatic system, under the domination of money economy and commodity production.

We shall also study the so-called tenancy reforms under British rule and see how they affect the tillers of the soil and land relations. Such a study will be useful for the purpose of examining the agrarian measures under the rule of the Indian National Congress.

### 1. UTTAR PRADESH

We have already pointed out elsewhere that U.P. is a temporary settled zamindari province. Only a small portion of the province (6 million acres) is permanently settled as against 54.6 million acres temporarily settled.

At the top of the pyramid of the land-owning classes

stand the zamindars. Out of 412 lakh acres of cultivated area, 74 lakh acres were under cultivation by agricultural workers, share-croppers and lessees. The rest of the acreage was held by inferior proprietors or various classes of tenants.

Land under the personal cultivation (so-called) of the zamindars is called *sir* and *khudkasht*. Subject to certain restrictions, and maximum limit placed by the Tenancy Act of 1939, the zamindars enjoyed a special privilege with respect to *sir* and *khudkasht*. The privilege was that tenants or lessees on this type of land were never to get occupancy rights.

Next to the zamindars, there were sub-proprietors and under-proprietors. Generally, they had the same rights as zamindars, subject usually to the payment of a quit-rent or *malikana* to the latter.

The permanent tenure holders and fixed rate tenants constituted two special categories of landholders in the permanent settlement area. Their rights were almost like those of the sub-proprietors. The permanent tenure holders were intermediaries.

The permanent lessees in Avadh were another category of intermediaries with permanent and heritable but non-transferable right on land.

Below the intermediaries, there are several categories of tenants, viz., hereditary tenants, occupancy tenants, expropriatory tenants and holders of special tenures in Avadh. These tenants possessed hereditary rights but not the right of transfer.

There were non-occupancy tenants or sub-tenants for whom no security of tenure existed in the past, i.e., prior to Congress legislation.

The following table shows the areas held under the cultivating possession of the zamindars and other proprietors, as well as those held by tenants: \*



TABLE XXI

<i>Category of holding</i>	<i>Area in million acres</i>
A: <i>Sir</i> and <i>khudkasht</i>	5.96
B: (i) Hereditary tenants	14.99
(ii) Occupancy tenants	10.41
(iii) Ex-proprietary tenants and holders of special tenures in Oudh	0.81
(iv) Fixed-rate tenants and permanent tenure holders	0.71
C: Non-occupancy tenants	0.91
Total	33.07

During direct British rule, several Acts were passed, under the pressure of growing agrarian unrest developing as a result of the expropriation of peasants by landlords and moneylenders. The above-mentioned categories of tenants came into being as a result of these Acts.

The Agra Tenancy Act of 1881 conferred occupancy right on tenants holding lands in their possession continuously for 12 years. By an amending Act in 1901, it was provided that a tenant whose continuity of possession is unbroken for less than 7 years will also get occupancy rights. The Agra Tenancy Act of 1926 and the Avadh Rent Act of 1921 by amending the Act of 1901, conferred tenancy right for life on the non-occupancy tenants, i.e., those tenants who possessed no hereditary rights.

In Avadh, the Act of 1886 conferred occupancy rights on those tenants who had once enjoyed it but lost the same. The Act was subsequently amended to confer occupancy rights on those who had lost it by sale or execution.

In the year 1939, the Government of the United Provinces consolidated all the above-mentioned Acts into a single Act, called the United Provinces Tenancy Act.

The Act of 1939 secured the interests of the zamindars by the provision that no tenancy right shall accrue to the tenants cultivating zamindar's *sir* land.

Though the Tenancy Act of 1939 conferred occupancy rights on a large number of tenants, yet the advantages were negated by landlords through evictions. The zamindars

and other proprietors or tenants took special care to see that the names of sub-tenants and share-croppers were not recorded in the papers of the *Patwari*, so that they might not get any tenancy rights.

## 2. BIHAR

Bihar is, as we have already pointed out in Chapter II, a permanent-settlement area.

A peculiar feature of the zamindars in Bihar is that most of them continue subletting or renting of land with so-called self-cultivation, i.e., cultivation by hired labourers, forced labour or share-croppers. They possess *khas* and *bakasht* land (private farms cultivated by labourers or share-croppers) to the extent of 34,60,268 acres. This is the figure given in official statistics, although the actual figure is much more than this.

Under the Bihar Tenancy Act, the following three categories of tenants were created:

(i) *Tenure-holders*: A tenure-holder was really a zamindar (landlord). One who had acquired land from a zamindar or another tenure-holder, for the purpose of collecting rents or for lending it in order to bring it under cultivation, was called a tenure-holder.

(ii) *Raiyats*: A *raiya*t is one who holds land immediately under a proprietor or a tenure-holder for the purpose of cultivating it by himself, by his family members, by agricultural labourers or by share-croppers. There are *raiya*t*s* at fixed rates, occupancy *raiya*t*s* and non-occupancy *raiya*t*s*.

A *raiya*t holding at fixed rates is liable to ejectment on the ground that he has broken a condition under the terms of a contract between him and his landlord.

In addition to the above ground, an occupancy *raiya*t is liable to eviction also on the ground that he has used the land in a way that has made it unfit for tenancy.

But a *raiya*t and an occupancy *raiya*t cannot be evicted without a decree from the court.

As a result of widespread agrarian struggles in Bihar,

during the great economic crisis which had started from 1929, the Congress Ministry in 1939 granted rent reduction on a large-scale.

(iii) *Under-Raiyats*: Anyone who holds land under a *raiyyat*, is an *under-raiyyat*. Tenants-at-will and share-croppers in Bihar are considered as *under-raiyyats*. They are mostly at the mercy of the land-owners, though they possess the following rights:

The rent realised from an *under-raiyyat* cannot exceed the rent which the land-owner himself pays to his landlord by more than 50 per cent, if the rents are payable under registered lease agreement, in other cases not more than 25 per cent.

An *under-raiyyat* acquires occupancy rights over land held continuously for 12-years.

An *under-raiyyat* who has not acquired occupancy right may be evicted on any of the following grounds: (a) Failure to pay arrears of rent; (b) Expiry of the lease in case of written leases; (c) Use of the land in a manner that has made it unfit for tenancy; (d) Breach of contract.

In actual practice, the above rights remain on paper. The great bulk of poor peasants who cultivate *khas* and *bakasht* land of the landlords, share-croppers in particular, are not given any documents. Therefore, when their rights conferred by law are infringed upon, they cannot establish in the courts that they are actually the cultivators of the plot in question. The share-croppers, according to Bihar Tenancy Act, enjoy the right of occupancy after 12 years of continuous possession. But the landlords go on changing the share-croppers about every year so that none can acquire occupancy rights.

The following table shows the respective areas in possession of different categories of proprietors and tenants:

TABLE XXII

1. Zamindars' <i>khas</i> and <i>bakasht</i> land	34,60,268 acres
2. Occupancy <i>raiyyats</i> ' land	194,08,135 "
3. Non-occupancy <i>raiyyats</i> ' land	3,34,131 "
4. <i>Under-raiyyats</i> ' land	3,35,055 "

## 3. ORISSA

Orissa is an example of tenancy chaos.

On the eve of transfer of power, there were three principal land-tenures in Orissa—zamindari, ryotwari and *khas mahal* (i.e., direct management by the State). These three systems were regulated not by any uniform regulation but by three different regulations: (i) Orissa Land Revenue and Land Tenure system along with the Orissa Tenancy Act of 1914; (ii) Madras Land Revenue and Land Tenure System, along with the Madras Estate Land Act of 1908; and (iii) The C.P. and Berar Land Revenue and Land Tenure System, along with its Tenancy Laws of 1889 and 1920.

The first system is prevalent in the districts of Cuttack, Puri, Balasore, as well as the adjoining former State areas.\* The second one is prevalent in Ganjam, Koraput and the adjoining ex-State districts, and the third in Sambalpur and the adjacent ex-State area.

The total area of Orissa under British regime was distributed as follows:

TABLE XXIII

	Acreage (in million acres)	Sq. Miles
1. Permanent Settlement	9.13	14,265
2. Temporary Settlement	5.18	8,094
3. Revenue-free estates	0.32	500
4. Ryotwari and <i>khas mahal</i>	5.98	9,343
Total	20.61	32,202

The above table excludes the native States areas which are now merged into the province.

Let us now examine the nature of tenancy under the different tenures mentioned above.

(i) *Orissa Land Tenure*: Rents were to be paid by the

\* Ex-State areas are those areas which were native States merged with Orissa State after the transfer of power. Out of the 13 districts in Orissa, 7 districts are ex-State areas. Orissa was constituted as a separate Province in 1936.

tenants in two half-yearly instalments. Arrears were to be realised from the defaulters through rent-courts. The zamindar could charge interest on the arrears of rent at the rate of 6 1/4% per annum. In the rent court, if the arrear was not realised in the first stage of the proceedings, then the property could be attached and auctioned. Prior to 1936, the tenants were subjected to various illegal exactions, forced labour (*bethi*) and forced gifts (*vethi*), by the landlords. As a result of a powerful peasant movement against these feudal exactions, the Orissa Tenancy Act was passed in 1936, banning the same.

(ii) *Madras Land Tenure*: Cash rent was not fixed. The zamindars could realise, through leaseholders known as *Mustadars*, half the produce of the land as rent. These leaseholders, though nominally rent-collectors, were actually another grade of landlords who also exacted their quota on the peasants.

In the villages where inamdari prevailed, the peasants under the inamdari were tenants-at-will. They had to pay even more than half the produce to the inamdars as rent. There were no regulations to determine or define the rights of the tenants who were actually treated as serfs.

(iii) *C.P. and Berar Land Tenure*: Under this system, prevalent in the Sambalpur districts, there were two kinds of tenures: the *khalsa* and the zamindari.

Under the *khalsa* system, estates are held by *malguzari* as revenue free, as rewards for services rendered to the native Princes and British rulers.

In the village, land was held by a village-headman called *gauntia*. The *gauntia* was virtually a landlord who paid 75% of the rental to the Government and retained for himself 25 per cent. Under this system, the tenants were forced to perform free services to the *gauntia* and other proprietors, besides paying rents. They were also to perform free services for "public works" in the village, such as road-making, canal-digging, construction of public buildings, etc. Those who would be unable to perform any such services were compelled to pay money in lieu of labour. The

tenant did not possess any right of transferring his land, but the *gauntia's* rights are heritable and transferable. So, *shramdan* is not an invention of the Congress—it already existed under the British administrators.

In respect of money rent, the Orissa Land Revenue and Land Tenure Committee made the following observations:

“In Ryotwari Orissa, it comes to about one-fifth of the gross produce, in North Orissa's zamindari areas it comes to about one-eighth and in Sambalpur, about one-sixth at pre-war level of prices.”

The tenant in Orissa, under all the systems, can be broadly divided into the following categories:

(1) Recorded occupancy tenants termed as *sikim* and *dhulibhag* tenants, they cannot be easily ejected. Right of occupancy was earned by holding an area for 12 years consecutively.

(2) Ordinary tenants who cultivate land on annual lease, written or oral, can be ejected at the end of the crop-year.

(3) Share-croppers and tenants-at-will enjoying no status.

The Madras Estate Land Act does not recognise any kind of under-ryots; therefore, all share-croppers are treated as tenants-at-will. The C.P. and Berar Tenancy Act also does not recognise any under-ryots, but it recognises contractual relations for land leased on contract, oral or written. This contract may be for a year or for any stipulated period. Tenants who make contracts for share-cropping are called *bhagal* and those who make contract for the payment of a fixed quantity of the produce are called the *chhidial* tenants.

Except the Orissa Tenancy Act, no other Tenancy Act prevalent in the State does away with the under-tenant. So, the under-tenants or share-croppers who take leases from the non-cultivating landholders in most cases can be evicted at the sweet will of the proprietor.

Under the Orissa Tenancy Act, an occupancy tenant can be evicted on the following grounds:

a) He has used the land in such a way that it has be-

come unfit for cultivation, or its productivity has deteriorated;

b) As per terms of contract or prevailing local custom, but in those cases 6 months' notice before the commencement of the agricultural year is required;

c) If he fails to pay his rent in time.

#### 4. BENGAL

Tenants in Bengal, as determined by the Bengal Tenancy Act of 1895, amended in 1928 and again in 1938, are classified under the following *main* categories: *raiyats*, *under-raiyats* and *bargadars*. *Raiyats* as well as *under-raiyats* are divided into two categories, occupancy tenants and non-occupancy tenants.

*Raiyats* are those who hold land on payment of rents to an intermediary. *Under-raiyats* are those who lease land from a *raiyat*.

The Bengal Tenancy Act of 1885 conferred occupancy rights on those *raiyats* and *under-raiyats* who had been in possession of any land for twelve consecutive years. A *raiyat* or an *under-raiyat*, possessing occupancy rights in any land in a village, was conferred the same rights to any land he may acquire through purchase, gift or inheritance in the same village. In other words, an occupancy tenant need not satisfy the condition of possession for 12 consecutive years in respect of every piece of holding, provided he has already got occupancy rights on any holding in the village.

The occupancy rights of a *raiyat* or an *under-raiyat* consist, under the above-mentioned Act, in rights of inheritance, transfer and mortgage. The occupancy *raiyat* cannot be ejected. For the failure to pay rents, the court can sell his land but he cannot be ejected right away by the landlord, even for non-payment of rent.

The occupancy *under-raiyat* can be ejected for the failure to pay rent or if he misuses land. But in actual practice, his security of tenure differs very little from that of the occupancy *raiyat*, because he cannot be ejected except by a decree of the court.

There are under-*raiyats* without occupancy rights, often known as *thika* tenants, who enjoy very little security of tenure and are obliged to pay excessively high rents. Among such tenants there are various categories differing in modes of rent payment and determination of rents. The *sanja* tenant, for example, is obliged to pay a fixed quantity of produce as rent. The Bengal Tenancy Act provides protection from unilateral eviction to those *sanja* tenants who make written agreements with the landowner. *Sanja* tenants with oral agreements enjoy no such protection. The *utbandi* tenants are actually tenants-at-will whose terms of tenure are at the mercy of the proprietor. The *gulo* tenant is one whose rents are determined in terms of a portion of the produce, but he is to pay rent in cash as determined by the market value of the produce. Like *utbandi*, the *gulo* tenant enjoys no security of tenure. The *kut* tenant is one whose rents are determined by the landowner each year as a part of the actual gross produce.

The rents of all these tenants are not regulated by any Act. One often comes across such high rents as Rs. 40 per *bigha* or even more. ✓

*Bargadars* or share-croppers constitute a big section of the tillers of the soil. The Bengal Tenancy Acts under British rule provided no security of tenure and no occupancy right to them. The *bargadar* (who is also called the *adhiar* or *bhagchasi*) is obliged by convention to hand over half the gross produce\* to the landowner, though the latter bears no part in the cost of cultivation. About 20 per cent of land under cultivation in West Bengal is tilled by *bargadars* and there are 6 lakh families of *bargadars* comprising a population of about 30 lakhs, according to the census of 1951. In the course of the last 50 years, particularly since the great economic crisis of 1929, the number of *bargadars* has grown as land passed into the hands of non-cultivating land-owners. Actual tillers of the soil have been expropria-

\* The Bargadar Act has made changes which will be dealt with in the next chapter.



ted by zamindars, moneylenders and other elements of absentee landlords and re-employed as *bargadars*.

## 5. BOMBAY

Ryotwari tenure, prevalent in Bombay, is guided by the Bombay Land Revenue Code of 1879, as amended in 1939.

Originally, under the code of 1879, the ryot, leasing land direct from the Government was considered as an occupancy tenant possessing heritable, transferable and alienable rights. *He is liable to be ejected only in case of failure to pay the revenue.*

On principle, ryotwari tenure means that the Government settles land directly with the peasant. But in course of time, peasants' land increasingly passed into the hands of moneylenders and other non-cultivating, i.e., absentee landowners. Too often the same peasant who had been a proprietor of his soil became a tenant-at-will of the same plot under an absentee landowner.

Up to 1950, these tenants-at-will had absolutely no security of tenure and no protection against enhancement of rent. In Gujarat, most of the tenants-at-will are share-croppers who have to pay, as in Bengal, half the gross produce to the landowners.

The Tenancy Act of 1939 gave some protection to the permanent tenants of large landowners. These permanent tenants, i.e., those who had been holding the same piece of land continuously for generations, were treated as tenants-at-will. The Act of 1939, enforced in selective areas, gave protection to tenants who had occupied lands continuously for 6 years preceding 1st January, 1938.

"They enjoy protection from eviction except when the landlord desires to cultivate the land himself or the tenant fails to pay rent. The Act also makes provisions for determination of fair rent and for compensation on eviction for any improvement effected by the tenant. The exaction of cess, rate, tax or service other than rent is strictly forbidden. No agricultural lease can be made for less than 19 years. The Government undertakes to fix the maximum rents for certain areas. Any relief given to the landlords by the Government in revenue is to be shared by the tenants as well. This provision

does not, however, apply to crop-sharing tenants." (Karuna Mukherji, *op. cit.*, p. 55)

## 6. MADRAS

Under the Madras Estate Law Act of 1908, the *raiya*t in the zamindari areas obtained occupancy rights in *raiya*t land as distinct from *sir* land of the zamindars. The Act protects the *raiya*t from eviction so long as he continues to pay rent and from enhancement of rent under certain specified conditions.

In Madras, there is a category of landlords, known as inamdars. Inams are grants made by former Governments for "religion, charity, public service, military and other rewards" etc. The inamdars are virtually a class of privileged zamindars and the cultivators under them are mere tenants as in the zamindari tenures. The cultivating tenants under the inamdars enjoyed until recently very little legal protection.

In the course of a century, the actual tillers of the soil lost *raiya*t rights and the Act protecting the tenants actually came to the service of absentee intermediaries. This process has developed even in the ryotwari areas. In consequence, the actual tillers became increasingly transformed into contract tenants and share-croppers.

\* \* \*

The brief survey made above, of tenancy legislation under direct British rule, reveals that it is not in the ryotwari areas, but mostly in the permanent settlement (zamindari) areas that some attempts have been made to pass enactments to guide the relations between the landlords and the tenants. The British rulers claimed those measures as "beneficiary acts" in favour of the tillers of the soil. The fallacy of this claim has been successfully exposed by the Superintendent of West Bengal Census (1951) in the following words:

"Between 1793 and 1832 a series of regulations was passed assuring protection to the ryot and between 1859 and 1885 another series of Acts. But behind everyone of these enactments was either a serious famine or a tale of peasants rising in revolt and despera-

tion. It would not be simplifying history to say that behind the great Bengal Tenancy Act of 1885 were the Report of the Famine Commission of 1881 and behind that again the agrarian movement of 1873, when the ryots in some areas combined in a kind of land league to resist landlords' exactions and defeated them by united opposition, leaving them no alternative but to bring suits against every tenant on their estates—a result which a contemporary official publication described as an agrarian revolution by due course of law. It is perhaps no accident that the population of Bengal began to register real, if tardy, growth only after 1885." (*Census of India*, 1951, Vol. VI, Part I A, p. 449.)

This should, however, not be taken to mean that the tillers became the actual beneficiaries of the Acts even by implication. The same author, quoted above, made valuable comments, in course of examining a Resolution of the Governor-General in Council, dated 16th January, 1902. His comments run as follows:

"In the first place, it is necessary to point out that the tenancy legislation which the minute held up as a great act of benevolent rule came as an inevitable corollary to bolster up the Permanent Settlement, to keep it from crumbling away under its own economic unbalance. Thus the first object was to strengthen the Permanent Settlement and remotely to administer justice. Secondly, although these legislations were designed to protect the cultivator from rack-renting and ejectment, their real effect in practice resulted in safeguarding only the rural middle-class and the jotedar *at the cost of not the landlord* but the tiller.... Thirdly, it is necessary to point out, in the spirited extracts the failure of the Government to acknowledge its responsibility for irrigation.... Fourthly, in its anxiety to absolve the Government of any responsibility for famines, the Resolution fights shy of an analysis of the zamindari system, and the resultant industrial and commercial malaise that overtook the country in the last century like a creeping paralysis." (*Ibid.*, p. 454)

The ryotwari areas fared no better. The very fact that protective tenancy legislation became at all necessary under the ryotwari tenure is itself a bitter commentary on the system which was supposed to confer "proprietaryship" of land on the peasants. It is still more significant that despite those "protective" measures, we find that a class of landlords has grown under the ryotwari tenure and the great bulk of the tillers are unprotected tenants, tenants-at-will and share-croppers.

## Chapter IV

### LAND LAWS UNDER CONGRESS RULE

Having seen the general consequences of the tenancy acts under direct British rule, it is now easy to examine the social and economic results of the land laws, i.e., the zamindari abolition acts and the so-called land reform under Congress rule. The conception of "land reform" in the minds of the Congress authorities was precisely summed up in a resolution on "Agriculture and Agrarian Reform" adopted by the Conference of Chief Ministers of States and Presidents of Pradesh Congress Committees, held in April 1950 at New Delhi. The resolution contains the following passage:

"Agriculture will remain in a state of flux so long as the structure and pattern of rural economy does not become clear and definite. It is, therefore, necessary to shorten the period of transition by expediting the abolition of zamindari and malguzari systems by paying compensation, if necessary, in bonds. Provision should be made, for fixity of tenure to the tiller. Sub-letting, even if allowed, should be for a period of just less than five years and for regulated rates of rent." (H. D. Malaviya, *op. cit.*, p. 89.)

The real meaning of this passage will be clearer after we have examined the agrarian measures of the Congress Government in different States. At the outset it may be pointed out that the resolution does not promise any radical change in land relation beyond the introduction of a uniform ryotwari system all over India. It promises to the peasants: do not go further than "fixity of tenure", "regulated rates of rent" and the "limitation of the period of sub-letting to

five years." There is thus no promise of a radical departure from the bureaucratic line of tenancy legislation under British administration except the replacement of zamindari by the ryotwari system in areas where the former prevails.

The Planning Commission has, of course, gone a little forward by recommending the fixation of ceiling, i.e., the maximum amount of land which any family may hold. The States Ministries appear not in agreement with this recommendation. In any case, this recommendation has, as yet, remained only on paper. We shall come back to this point in the next chapter.

Let us now proceed to examine the various measures adopted by the Congress Government in the direction of its "agrarian reform".

### 1. ACQUISITION OF ZAMINDARI

The new land reform acts of the Congress Government are based upon the acquisition of zamindari by the Government on payment of compensation to the "intermediaries".

The term "intermediary" is defined as follows in sub-section (12) of Section 3 of the Uttar Pradesh Zamindari Abolition and Land Reform Act, 1950:

" 'Intermediary' with reference to any estate means a proprietor, under-proprietor, sub-proprietor, thekadar, permanent lessee in Avadh and permanent tenure-holder of such estate or part thereof."

Section 4 of the Act stipulates to vest all estates of such "intermediaries" in the state, subject to payment of compensation. Does it mean that the landlords as a class cease to exist, even on payment of compensation? Sub-section (12) of Section 3 combined with Section 4 gives such an impression. If all proprietors, *thekadars*, tenure holders, etc., are considered as "intermediaries" and if all their estates are vested in the state, where does landlordism remain? An answer to the question is furnished by Section 18 of the said Act. For the purpose of a comprehensive understanding of the Act, this Section is quoted in full:

"Subject to the provisions of Sections 10, 15, 16 and 17, all lands—

- (a) in possession of or held or deemed to be held by an intermediary as *sir*, *khudkasht* or an intermediary's grove;
- (b) held as a grove by, or in the personal cultivation of a permanent lessee in Avadh;
- (c) held by a fixed-rate tenant or a rent-free grantee as such; or
- (d) held as such by—

- i) an occupancy tenant;
- (Possessing the right to ii) a hereditary tenant;
- transfer the holding by sale) iii) a tenant on *Patta Dawami* or *Istamrari* referred to in Section 17.

on the date immediately preceding the date of vesting shall be deemed to be settled by the State Government with such intermediary, lessee or tenant, as the case may be, who shall, subject to the provisions of this Act, be entitled to take or retain possession as a *bhumidar* thereof."

In short, landlords' *sir*, *khudkasht* and grove lands will remain in their possession, though the Kumarappa Committee recommended that "only those who put in a minimum amount of physical labour and participate in actual agricultural operations, would be deemed to cultivate land personally" and non-cultivating owners "will have the option to resume the holding to the extent to which it is necessary to make his self-cultivated holding economic". The Committee further recommended that "the maximum individual holding should be three times the economic holding" an economic holding being an area varying between 5 to 8 acres generally. Yet, the U.P. Zamindari Abolition Act permits the landlords to retain all *sir*, *khudkasht* and grove lands in their *khas* possession, the total extent of which is 71,27,300 acres.

In West Bengal, the Estates Acquisition Act follows the same pattern with this difference that it permits the intermediaries to keep altogether 33 acres of agricultural land, besides 20 acres of non-agricultural land, all horticultural gardens, poultry lands, land used for dairy farms and fisheries. The maximum that is permitted to the intermediary

is more than his present average *khas* land and certainly more than "three times the economic holding" recommended by the Kumarappa Committee. In West Bengal, there are about 30,000 families of intermediaries (excluding the *jotedars*), possessing altogether 4 lakh acres of *khas* land. It works out to be 13-1 $\frac{1}{3}$  acres per family on the average.

The Act does not at present propose to take over the properties of *jotedars* but makes a provision to limit their holdings in future to 33 acres in case of a particular class of land, i.e., land let out to share-croppers and intermediaries. But as to land cultivated by wage workers—no limitation is put. In a subsequent chapter we shall examine the full significance of this provision.

In other States too the same pattern is followed—only the rent-receiving interests of the zamindars are taken over by the state, estates employing share-croppers, wage workers and unprotected tenants are allowed to remain in the possession of the landlords.

It follows that the acquisition of estates by the Congress Government does not actually abolish all forms of landlordism but modifies the existing zamindari system under pressure of popular demands and the kisan movement.

The Madras zamindari abolition act of 1948 is frankly entitled as "The Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948". Being the earliest of the Acts, it did not conceal its character by devising a deceptive name as the "U.P. Zamindari Abolition Act", the "West Bengal Estates Acquisition Act" and so on.

Section 3(b) of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948, decreed that—

"The entire estate (including all communal lands and porambokes; other non-ryoti lands; waste lands; pasture lands; lanka lands; forests; mines and minerals; quarries, rivers and streams; tanks and irrigation works; fisheries; and ferries), shall stand transferred to the Government and vest in them free of all encumbrances."

But Sections 12 and 13 of the same Act empower the zamindar to retain all lands that "belonged to him as private

land" or "stood recorded as his private land", land cultivated by servants and labourers, and *inam* lands. The zamindar himself will henceforth become the ryot.

The conversion of the zamindar into a big propertied "ryot" is the transformation in the strict legal sense, made by Congress Government's land reforms. That is the first thing that strikes the eye.

## 2. THE NATURE OF COMPENSATION

Different States have worked out different schemes of compensation but the main principle is the same: namely, to give "adequate compensation" or "reasonable compensation" to the landlords whose estates are taken over by the state. The total amount of compensation thus to be paid to the intermediaries, in Part 'A' States, has been estimated by the Reserve Bank of India to be Rs. 414 crores. If to this are added the figures for Part 'B' and Part 'C' States, the total "may easily reach anywhere between Rs. 500 crores to Rs. 550 crores, if not more." (H. D. Malaviya, *op. cit.*, pp. 433-435) As against this, the additional annual land-revenue that may be accrued to the States, as a result of the acquisition of rent-receiving interests, is Rs. 10.52 crores or 4.71 per cent of the total estimated compensation. (See *Appendix VI*)

It follows that under the various schemes of compensation, additional land revenues for the next 20 years will be handed over to the landlords in one form or another. The result is so staggering that even Shri H. D. Malaviya, an office-bearer of the All-India Congress Committee and an advocate of the Congress, who characterises its land acts as nothing short of an "agrarian revolution" (!) is forced to make the following remarks:

"Looking at the shortage of funds for development work as visualised in the Five-Year Plan, it may be worth-while to consider whether time is not ripe to drastically reduce the scales of compensation payable. The sum involved, anywhere in the neighbourhood of Rs. 559 crores, nearly 25 per cent of the total visualised for the Five-Year Plan, is indeed very huge and will remain a constant



source of anxiety for the State exchequers for years to come, as the payment is to be made over a number of years, may be 20, 30 or even 40 years in some States." (*Op. cit.*, p. 435)

Therefore, the All-India Kisan Sabha stands for the abolition of the zamindari system without any compensation. It is prepared to pay rehabilitation allowances to the lower strata of the intermediaries who constitute a big chunk of the middle-class people suffering from unemployment and poverty. It is incumbent upon the powers that be that these elements are not ruined.

But the big landlords, zamindars, etc., have no valid claim to compensation. Politically, the landlords as a class, performed the most sordid service to British imperialism, against the country, the nation and the people. Today, they have become a piece of the backbone of the Congress, but at a time when the Indian National Congress was in opposition to British imperialist rule, they, in general, acted as the main prop for the alien power, to stem the tide of the freedom movement led by the Congress.

Socially, the zamindars have always constituted the most reactionary and anti-democratic class in society and the main defenders of outmoded social practices and customs. One may come across isolated cases of individual landlords with radical leanings joining or encouraging the freedom movement or making contribution to the development of national culture, but at every stage of our national history, this is the class which hindered and still hinders the rise of a people's democratic movement in all spheres of life. As the defenders of caste system, untouchability, social subordination of women, and the champions of class privileges, the landlords as a class constitute the most reactionary class in Indian society.

Economically, the landlords as a class made almost no contribution to the progress of agriculture and industry. The wealth extracted by them from the rack-rented peasantry has, as a general rule, been spent in ways which have ruined even their own fortunes. Very little contribution has been made by them to the progress of industry, trade or banking.

In the field of agriculture, their spokesmen sometimes try to make out a case for them by claiming that they contributed to the expansion of agriculture by reclamation of uncultivated land. But on scrutiny, it is found that sometimes in the past they have reclaimed forest lands only by means of unpaid labour—promising to the tillers certain rights in the reclaimed land and then breaking those promises unscrupulously as soon as the newly reclaimed land began to yield golden crops. After the job was done, the original tillers were either driven out or employed as share-croppers and labourers.

The history of the Sunderbans in Bengal demonstrates the truth of what is said above. The peasants whose forefathers laid down their lives in clearing the forests and reclaiming the land by fighting tigers, snakes and crocodiles, are today landless agricultural labourers and share-croppers. Neither the permanent settlement zamindars nor the new proprietors had spent a farthing to reclaim the Sunderbans.

The Memorandum of the Bengal Provincial Kisan Sabha, submitted to the Land Revenue Commission in 1938, quoted from a renowned authority on zamindari settlement the following remark:

“The testimony of good authorities, extended over a long period, is that the zamindars have done little or nothing, the raiyats everything, for the extension and improvement of cultivation.”

It is, therefore, clear that the zamindars cannot claim compensation from any standpoint. Only the poor strata of owners can validly claim rehabilitation grants from the point of view of social justice.

The Memorandum referred to above made the following proposal on the question of compensation to the landlords:

“According to our scheme, about 7 lakhs of rent-receivers (it refers to the whole of Undivided Bengal) will cease to earn a livelihood from rent and will have to find alternative employment. Should they be paid compensation in cash?

“Whether the amount of compensation paid is Rs. 170 crores or Rs. 17 crores, one thing is certain, that the money will simply be eaten up. We are opposed to such false compensations. The real

compensation would be a security of finding employment. The scheme for finding employment is also the scheme for the reconstruction of the province." (*Report of the Land Revenue Commission*, Vol. VI, p. 61.)

This is a constructive outlook based on social justice. To detect violence or an alien trend in the above statement is to betray one's partisanship with the landlords as a class. In contrast, the sponsors of *Bhoodan Yagna* ask the peasant to remain quiet with a little gift from the landlord who is worshipped as a hero for his alms-giving. But *bhoodan* or no *bhoodan*, the large estates of the landlord, accumulated in the course of decades of expropriation of the peasants, constitute the most rapacious violence against the people. Why should the expropriation of the landlord by the peasants be considered as violence and not the eviction of the peasants by the landlords?

### 3. TENANCY RIGHTS

#### a) *The U.P. Zamindari Abolition and Land Reforms Act*, 1950

This Act reduces the numerous categories of tenants to four—namely, (1) *bhoomidhar*, (2) *sirdar*, (3) *asami*, and (4) *adivasi*.

Under the Act, *bhoomidhari* rights are conferred on the following categories of former tenants:

- (i) Fixed-rate tenants and rent-free grantees;
- (ii) Those tenants (whether occupancy, hereditary or with a *patta dawami* or *istamrari*) who possess the right to sell land;
- (iii) All occupancy, hereditary and ex-proprietary tenants as well as tenants holding on special terms in Avadh can become *bhoomidhars* after paying ten times their rent in a lump sum or 12 times the rent if it is paid in instalments (in four instalments within two years);
- (iv) Tenants of *sir* and other tenants (i.e., persons called sub-tenants and *shikamis* under the present

system) are entitled to become *bhoomidhars* after 5 years provided they pay a sum equal to 15 times their rent. They can, however, acquire *bhoomidhari* rights within 5 years with the consent of their tenants-in-chief or the principal tenure holder by paying a sum equal to 15 times the rent.

The *bhoomidhars* have been conferred the same occupancy, hereditary, transferable rights as the occupancy *rai-yats* \* in Bengal under the Bengal Tenancy Act during British rule. But the Bengal peasants earned those rights without any payment, thanks to the peasant revolts in the 70's of the last century; but under the "People's Welfare State" of the Congress, the peasants of U.P. are to purchase those rights on payment of 10 to 15 years' rent. Under the U.P. Zamindari Abolition Act, the intermediaries who possess *khas* land are getting those rights without any payment. Of the four categories mentioned above who are acquiring *bhoomidhari* rights, the first two are generally intermediaries who have to make no payment, and the last two are tillers of the soil who have to do so.

The next, in order, stand the *sirdars* constituted of the following categories of former tenants: (1) Tenants holding on special terms in Avadh, (2) Ex-proprietory, occupancy and hereditary tenants or on *patta dawami* and *istamrari*, (3) Grove holders, (4) Permanent tenants of *sir* lands, (5) Grantees at favourable rate, (6) Certain other types of tenants. The tenants are automatically becoming *sirdars*, and until and unless they purchase *bhoomidhari* rights, they will remain so.

The *sirdars* enjoy hereditary and transferable rights but no right to bequeath their land. They can use their holdings only for the purpose of agriculture including horticulture, animal husbandry and pisciculture, but not for industrial or other purposes. The *sirdars* can become *bhoomidhars* on payment of a sum equal to 10 times the rent in one lump or 12 times the rent in instalments. It follows that the

\* Except the right to let land on rent.

above-mentioned tenants who have been constituted *sirdars* have not gained anything new except the right to purchase *bhoomidhari* rights and they constitute about 68% of the tenant cultivators in U.P.

The third category, the *asamis* are composed of the following types of former tenants and sub-tenants: (1) Non-occupancy tenants of intermediaries' grove land, (2) Sub-tenants of grove land, (3) *Thekadars* cultivating *sir* and *khudkasht* of the intermediaries, (4) Non-occupancy tenants of pasture lands covered by water and/or land in river-beds or land of shifting cultivation, (5) Mortgagees of tenants' land, (6) Any person admitted as an *asami* after the promulgation of this Act.

They have obtained no new rights under the Zamindari Abolition Act. A subsequent amendment of the Act has enabled the *asamis* to obtain *bhoomidhari* rights.

The fourth category of tenants called the *adhivasis*, consists of those tenants of *sir*, the sub-tenants and occupants of land on which no *bhoomidhari* or *sirdari* rights accrue. They can after 5 years purchase *bhoomidhari* rights on payment of 15 years' rent.

It follows that the Zamindari Abolition Act has not conferred on the peasants full proprietary rights but only the right to purchase such rights under certain conditions. None but the well-to-do peasants can avail of the opportunity to become full proprietors of their holdings. The Government expected to raise Rs. 170 crores by selling *bhoomidhari* rights to those who are entitled to purchase the same under the Zamindari Abolition Act. But the fact that in 3 years only a sum of Rs. 35 crores has been raised shows that only a tiny section of the peasants has been able to purchase the privilege.

#### b) *The Bihar Land Reforms Act, 1950*

Under this Act the state simply takes over the estates of the zamindars on payment of compensation, it confers no new rights on the tenants, but the Bihar Tenancy Act has been amended to make the following changes.

Previously, the occupancy right of the tenants of *bakasht* land (i.e., private *khas* land of the intermediaries) was confined to "settled *raiyyats*" of the village, i.e., *raiyyats* who are its permanent inhabitants. Now this restriction has been removed, but a new restriction has been introduced. According to the amendment, occupancy right will not arise to the tenants of *bakasht* lands of those landowners who possess less than 40 acres of *bakasht* land, unless a settlement has been made by a registered instrument.

Provisions have also been made to confer on the occupancy ryots the following rights: (i) manufacture of bricks and tiles, excavation of tanks and the sinking of wells, erection of buildings for the use of educational and charitable institutions and other public purposes, (ii) to get receipts, on payment of rent, only from books containing numbered leaves obtained from the collectors' office, (iii) provisions contained in the previous Act, for distraintment of crops for the realisation of rent, have been deleted, and (iv) a tenant cannot be turned out of his homesteads even if the holding is sold for arrears of rent.

It should be pointed out, in this connection, that these rights were obtained by the Bengal peasants by amendments to the Bengal Tenancy Act in 1928 and 1938, i.e., long before the Congress came to power.

In Bihar, concessions of a limited nature are given to certain sections of the peasantry through other Acts as follows:

*Amendments in the Chotanagpur Tenancy Act:* Besides giving to the Chotanagpur *raiyyats* the same rights as to the *raiyyats* under the Bihar Tenancy Amendment Act, the following other provisions are made: (i) A non-occupancy *raiyyat* who was liable to be ejected, under the Chotanagpur Tenancy Act, if he failed to pay a single instalment of rent for his holding, is now liable to be ejected only if he fails to pay rent for two agricultural years, (ii) Illegal exaction has been made a cognizable offence.

But in actual practice, illegal exaction continues in

different ways because despite the Act, the police seldom takes cognizance of such offences, just as in West Bengal the police rarely takes cognizance of offences committed by landlords under the Anti-Eviction Act.

*The Bihar Bakasht Disputes Settlement Act, 1947:* Under the Bihar Land Reforms Act, *bakasht* land remains the private property of the zamindars and we have already seen that they constitute large properties. The peasants cultivating such land are given, in some cases, occupancy rights under the Bihar Tenancy Act, yet the peasants have to continue the struggle over *bakasht* land in Bihar against the landlords' cunning defiance of the Acts. Therefore, in order to pacify the peasants, the Bakasht Disputes Settlement Act provides for setting up Arbitration Boards, consisting of a Chairman, appointed by the Government, and two representatives, one representing the landlords and the other, the peasants. The Board thus set up is to decide questions relating to possession over *bakasht* land and its decision is final. It has a parallel in the West Bengal Bhagchasi Board which deals with disputes covering crop-sharing.

But in actual practice, this concession is often negated by the resistance of the landlords and the complicity of the Chairman of the Board, who holds the balance. The usual tactics of the landlords is to submit to the Board, that the disputed land is not *bakasht*. If, even after that, the Board gives an award in favour of the tenants, as they sometimes do, the landlord resorts to other stratagems to drive him out.

*The Bihar Privileged Persons Homestead Tenancy Act, 1947:* The novelty of this Act is that it confers to the agricultural workers and poor peasants, with holdings below one acre, permanent occupancy rights on payment of "fair and equitable rents". The former Bihar tenancy acts conferred such rights only to *raiya*s—the new Act extends the rights to the lowest strata of the peasantry who are not *ryots* according to the Bihar Tenancy Act.

*Commutation of Rent:* The former Bihar Tenancy Act contained provisions for the commutation of rent in kind

(*fasli* rent) into rent in money (*nagadi*). During the years of the Second World War, commutation operations remained suspended and in consequence a large number of applications remained pending. In 1946, the Congress Ministry launched rent commutation operations on a large scale and more than 3 lakhs of such cases were disposed of. In consequence, in the majority of the cases *fasli* rent (rent in kind) of the occupancy ryots has been commuted into cash rent and this has brought some relief to the occupancy ryots.

**The Public Land Encroachment Act:** This Act is a specimen of the pro-landlord character of the main line of agrarian legislation under the Congress Government. The said Act refers to land acquired by the Government for public purposes. The landlords have in many cases illegally rented out such land to the peasants by taking *salami*. Under the Act, the peasant so settled is liable to eviction but the landlord who has accepted *salami* and rents by the illegal transaction goes scot-free. The underlying assumption is that, in all illegal transactions depriving the state of public properties, an offence is committed not by the first party, the landlords, who take the money, but by the second party, the peasants, who pay it. It is a strange assumption motivated by class bias, because it is easy to understand that the criminal motive belongs to the landlord who does not lose anything but gains everything by the deal, while the peasant, who is often ignorant about the illegality of the deal is penalised. This Public Land Encroachment Act is so framed that the landlord gains more by its violation than by the observation of it.

c) *The Punjab (Security of Land Tenures) Act, 1953*

Under this Act a landlord is permitted to keep or resume for self-cultivation an area up to 60 ordinary acres.

In case of an evacuee, the following main provisions have been made: (i) One who has been allotted more than 50 standard acres, the area to be resumed shall be not more than 50 standard acres or 100 ordinary acres, (ii) One who has been allotted less than 50 standard acres, the permissible



*area shall be the area as allotted in full but not more than that.*

*Under the Act, maximum rent has been limited to one-third of the gross produce.*

*From land above the area fixed as the maximum limit for resumption for self-cultivation, no tenant can be ejected, after April 30, 1954, except under the following conditions: (i) Failure to pay rent in due time without sufficient cause, (ii) Failure to cultivate without cause, (iii) Causing any damage to the land, making it unfit for cultivation, (iv) Sub-letting the land or any part thereof, (v) Refusal to execute a patta, (vi) Holding an area in excess of the permissible maximum limit.*

From an area up to the maximum limit, the landlord can evict the tenants in order to resume the same for self-cultivation.

Tenants ejected after August 15, 1947 are empowered to be restored to the same on an application to a collector.

#### d) *West Bengal Land Reforms Bill*

The Land Reforms Bill submitted to the State Legislature does not give occupancy rights to any peasant who did not already possess the same under the Bengal Tenancy Act of 1886 as amended in 1928 and 1938. The position of the tenants-at-will or *thika* tenants remains unaltered; the *bargadars* (i.e., the share-croppers) will get no occupancy right. The landlord enjoys the right to evict the share-cropper if he is in need of the plot for self-cultivation from an undefined area. The West Bengal Estates Acquisition Act, 1953, provides that the landlord can employ share-croppers or sublet land to *thika* tenants up to an area of 33 acres, an excess of that area let out to share-croppers or *thika* tenants will be taken over by the Government. But this provision will not come into force immediately. The limitation of the maximum holding does not apply to land cultivated by family members, servants or labourers.

The share of the crops to be given to the landlord, (i.e., rent) by the share-cropper has been fixed in the Bill to 40 per cent of the gross produce. This is a retrograde step from

the existing West Bengal Bargadar Act which authorised the share-cropper to pay only one-third of the gross produce provided the entire cost of cultivation is borne by the share-cropper (*bargadar*) himself. The division of the produce, provided in the West Bengal Bargadar Act is—one-third to the landlord for his ownership of land, one-third to the *bargadar* for his labour, and one-third sub-divided among the various other means and accessories to production.

Under the West Bengal Bargadar Act, all disputes concerning the share of the crops, evictions, etc., between the landowner (*jotedar*) and the *bargadar* (share-cropper) are to be regulated by an arbitration board composed of two representatives of the landowners, two representatives of the share-croppers and a chairman—all to be nominated by the Government.

The Land Reforms Bill has done away with the Boards and stipulates that all disputes concerning land are to be settled or adjudicated by the Revenue Officers. The hitherto existing power of the civil courts in relation to land-disputes under the Bengal Tenancy Act is thus nullified and the peasants are thrown from the frying pan into burning fire.

The working of the Bhag-chasi Boards (the Boards of Arbitration to deal with share-croppers' disputes with landowners) during the last three years has shown that in the majority of cases they have been instrumental in serving the interests of the landowners to the detriment of the share-croppers' interest. The representatives including those of the share-croppers, are usually chosen from amongst the landlord's own men, the cases regarding the division of the crops remain pending for several months so as to tire the peasant out or to put him into difficulties and thus force him to surrender to the landlords. This has happened in the majority of cases despite the provision (in the Bargadar Act) that the petitions for division of the crops are to be decided within 21 days. This legal provision is seldom implemented. In majority of the cases, whenever a landlord applies for eviction of the peasant, the Board is always ready to oblige him by putting legal sanction on his action.

Justice was, of course, snatched out of the unwilling hands of the Boards in areas where the organised kisan movement was in a position to intervene.

The peasants obtained the Bargadar Act only after a decade of heroic struggles known as the *tebhaga* movement. The movement first began in 1939 in certain areas of North Bengal. In the year 1946 almost the whole of Bengal became galvanised by the *tebhaga* movement of the share-croppers who were brutally suppressed. Ever since, every year, in the crop-cutting season in the village, *tebhaga* movement has been regularly occurring drawing within its fold thousands of share-croppers, mainly in those areas where share-cropping predominates (24 Parganas and Midnapore districts). The *tebhaga* movement in Bengal (in West Bengal since partition) is a record of heroic episodes of martyrdom and sacrifice by poor peasants and agricultural workers as in Kakdwip. The result was the West Bengal Bargadar Act.

The new Land Reforms Bill restricts the rights of the occupancy ryots in several respects. Under the old Bengal Tenancy Act, an occupancy ryot cannot be ejected for non-payment of rent; the arrears can be realised by the sale of any property including the land of the defaulter to the extent of the arrears but the tenant cannot be ejected outright for non-payment of rent.

But, according to Section 6 of the West Bengal Land Reforms Bill a ryot can be ejected on the following grounds: "(a) that he has, without any reasonable cause, not used the land or a substantial part of it for purposes mentioned in section 5 (agriculture, horticulture, house-sites, etc.) or allowed the land or a substantial part of it to be fallow for four consecutive years; (b) that he has done any act in contravention of the provisions of this Act."

Under the old Bengal Tenancy Act, the occupancy ryot enjoys the unrestricted right of transfer. Under the new Reform Bill, such transfer (unless it is gift, inheritance, partition or usufructuary mortgage) is restricted by the Right of Purchase granted to the co-sharer or contiguous

tenant. Formally speaking, it is a restriction on the purchaser, but a restriction on the purchaser is in the final analysis a curb on the bargaining power of the peasant-seller, who is generally a distress-seller; such a restriction will not stop land-transfer but reduce the credit-worthiness of the peasants' land. In consequence, the problem of rural credit will become serious and the peasant will have to sell larger areas at lower prices.

The Reform Bill reserves to the Government the unrestricted right to enhance rent but the case for reduction of rent is limited to failure of crops due to natural causes, etc., for *three consecutive years*.

The Bill does not provide for any criterion as to the standard rate of rent, it is left to the Revenue Department to determine the rate. This is a clear violation of the directives of the Planning Commission which is in favour of the limitation of rent to a definite part (one-fifth or one-fourth) of the gross produce.

The Bill provides for the following scale of rents to be paid by ryots in respect of holdings *in which paddy is grown*:

TABLE XXIV

<i>Area of land in the holding</i>	<i>Rate of Rent</i>
For the first 2 acres	(a) In the case of ryots who pay rent in kind — Nil. (b) In the case of ryots who pay rent in cash or part in cash and part in kind— 10% of the rent-rate.
For the next 3 acres	25% of the rent-rate.
For the next 5 acres	50% of the rent-rate.
For the next 5 acres	62½ % of the rent-rate.
For the remainder	100% of the rent-rate.

But the Bill gives some concession to the insistent demand of the peasant movement that a minimum holding must be exempted from rent payment and the rent of land above a specified minimum must bear the characteristics of progressive income-tax. The West Bengal Provincial Kisan Sabha demanded that 10 *bighas* (3.3 acres) of land belonging to peasants must be declared as the rent-free minimum. The just demand of the peasant masses has not been accepted by the Government, but it could not help doing something in this respect.

It is thus obvious that peasants will not be able to enjoy any relief in respect of land in which some other crops than paddy are grown. The actual position of the other categories of peasants is dependent upon the standard rate of rent that is going to be fixed, to what extent the existing rate is going to be enhanced.

Moreover, the above-mentioned provisions put a premium on produce-rent. In economic science, produce-rent is regarded as a more backward form than cash rent, the latter was defined by Marx as a dissolving form of feudalism. The Land Reforms Bill of the Congress Government in West Bengal encourages a more backward form of rent. No doubt, under certain conditions, rent in kind is advantageous to the peasant, therefore, the form of the payment of rent should be optional, instead of compulsory for the peasants.

e) *The Orissa Estates Abolition Act, 1951*

The Orissa Estates Abolition Act has transferred the estates to the state with compensation to the zamindars. It has allowed the landlords possessing less than 33 acres of land to evict the tenants.

The Orissa Tenancy Act has been amended to ban eviction of tenants from homestead land.

The C.P. and Berar Tenancy Act has been so amended as to confer on the tenants the right to sell and purchase land.

Under the Madras Estates Land Act, the *zirayati* ryots pay half the produce as rent, their rents are being commuted into cash rent and this change has meant the reduction of rent from Rs. 50 (the cash value of half the produce) per acre to Rs. 7 or up to Rs. 10. Even this rate is two to three times higher than the rent prevailing in the neighbouring ryotwari areas.

The share-croppers have been recorded in the settlement operations as under-tenants and the share of the land-owners has been reduced from 50 to 40 per cent of the gross produce. The Land Reform Bill in West Bengal, as we have seen, contains a similar provision. Therefore, it appears that, the Congress is veering to a uniform policy about the share-croppers' rent authorising a far higher rate than the general recommendations of the Planning Commission.

f) *The Assam State Acquisition of Zamindaris Act, 1951*

In Assam, the Adhiar Protection Act of 1948 fixed the landlord's share of the crop at one-third of the produce in case the landlord bears the cost of cultivation, otherwise to one-fourth of the produce, i.e., if he does not bear any cost of cultivation. In this connection it should be remembered, as we have seen in the previous paragraph that the share-cropper in West Bengal and Orissa under the reforms are obliged to pay 40 per cent of the produce to the landlord, even if the landlord does not bear any cost of cultivation. The Assam rate is lower than that of West Bengal and Orissa and is in favour of share-croppers.

The Assam State Acquisition of Zamindaris Act empowers the zamindars to resume for self-cultivation up to 400 bighas of land by evicting the tenants. This is an amazing piece of legislation passed under the name of land reform. It is nothing short of a stimulus to eviction.

g) *Madras Land Acts*

In Malabar, the Tenancy Amendment Act of 1951 gave fixity of tenure to all classes of tenants and reduced the rent of wet land from two-thirds to half the net produce.

This is an eloquent commentary both on the hitherto-prevailing rent as well as the concession under the Congress agrarian reform.

An Act of 1954 has further reduced the rent of certain categories of land namely, pepper gardens, cocoanut gardens and wet land.

In the Tanjore district (Tamil Nad), under the Tanjore Tenants and Pannaiyals (Protection) Ordinance, 1952, the rent of the tenants has been reduced to three-fifths of the gross produce!

It is easy to see that the prevailing rate was monstrous, but the niggardliness of the concession is equally strange! It does not matter what the old rent was—it is simply astounding that the Congress Government legislates that the tenant has to pay three-fifths of the produce as rent to the landlord. Yet the Congress claims that it is reforming the land system according to the best traditions of Indian history!

Under the same ordinance, no tenant can be evicted except on application to the revenue court. This is, of course, a good concession but how far this provision can be of service to the peasant, depends upon the composition of the court and the strength of the kisan movement.

#### *h) The Bombay Tenancy Act, 1939*

In Bombay, the protected tenant has been empowered to purchase landownership, provided the owners' holding is not reduced thereby to below 50 acres and from an area up to 50 acres, the landowner can evict the tenants. Rent has been reduced to one-third and in some districts one-sixth of the gross produce. The price which the tenant has to pay to the landowner for the purchase of ownership will be determined by a tribunal.

In case of the backward caste tenants, the state will fix the maximum price and it has to be paid in 10 instalments spread over a maximum period of 15 years.

The Bombay Tenancy Act of 1939 has been repealed

and replaced by the Bombay Tenancy and Agricultural Lands Act, thrice amended in 1951.

Under this Act the duration of tenancy has been fixed as not less than 10 years.

It provides for commutation of produce rents into cash rents, once such commutation is made, it cannot be altered for five years. If the landlord continues to take produce rent even after the commutation, he can be sentenced to a fine up to Rs. 1000. Similarly labour rents are also to be commuted into cash rents within 12 months of the enforcement of this Act. The Act makes it illegal for any landlord to realise from a tenant, "cess, rate, *vero*, *huk* or tax or service of any description. Penalty in this case also is a fine up to Rs. 1,000." (H. D. Malaviya, *Op. cit.*, pp. 240-41)

#### 4. THE NATURE OF CONGRESS GOVERNMENT'S "LAND REFORM"

The Planning Commission, as well as the Congress Agrarian Reforms Committee have recommended the fixation of the maximum area which a landholder can possess, so that the surplus land thus available from big landlords can be sold to the peasants who are capable of purchasing the same.

The very fact that there is no plan for the distribution of land without payment, exposes the utter bankruptcy of the Plan. If the land-hunger of the mass of landless and poor tillers of the soil including agricultural workers is to be satisfied at least to the extent of available land, it must be taken from the landlords without compensation and handed over to the peasants without payment.

By fixing the upper limit of landholding, and by taking over the surplus above that from the landlords, land-monopoly can be broken and land given to the land-hungry. Though the Planning Commission has accepted the policy of fixing the ceilings on landholding, the bureaucratic way of doing this only enables the landlords to parcel out their land in such a manner that ultimately very little surplus land remains on record for distribution. Even the Planning Commission does not promise distribution of



land to the tillers without payment. But no State in the Indian Republic has yet passed any measure to fix up the ceiling. On the contrary, peasants are evicted on a mass scale as a result of the fixation at too high a level of the upper limit of holdings, from which tenants can be evicted for the landlords' resumption of the said holding for self-cultivation or for cultivation by employing labourers. That is why, the introduction of agrarian legislation by the State Governments has given the impetus to the eviction offensive of the landlords.

The eviction offensive of the landlords has assumed a serious proportion in all the States and in consequence, what is taking place is accumulation of larger holdings by the landlords. In West Bengal, for instance, Chapter VI of the Estates Acquisition Act has permitted the landlords to keep unlimited areas in their *khas* possession if they are cultivated by servants and labourers; therefore, the passing of this Act synchronised with the landlords' drive for mass evictions of share-croppers and lease-holders (i.e., *thikku* tenants). Even the Anti-Eviction Act passed under the pressure of a strong kisan movement has not substantially improved the situation.

What is taking place, under the Congress rule, is a historical process akin to the landlords' "Clearing of Estates". But it will not and cannot lead to any large-scale capitalist development as in Europe on the eve of industrial revolution, because in India the main stimulus to capitalist development in agriculture is lacking. What is lacking is industrialisation in the real sense of the term and liquidation of feudal relations, the main hindrance to capitalist development of agriculture. This does not however mean that no capitalist development of agriculture is going to take place. Some efforts are being made by the Congress rulers to transform the feudal landlords into capitalist landlords, but in the main, feudal land relations are being preserved.

What does the Congress Government profess to be the basic principles of this land reform? They want several

things and—if they can be called “basic principles”—they are as follows: (1) the landlord must not sub-let the land, must not become a rent-receiver; (2) he must take active interest in cultivation, become the self-cultivator; in Rajaji’s words —“the owner must be a tiller”; (3) there must be some dispersal of holdings in order to slacken the tension of landlessness.

Now there are two sides of the theory—firstly, the contradiction in theory itself, and secondly, the contradiction between theory and practice.

As to the contradiction in theory: It is apparent that the landlord gives up sub-letting and therefore his personal power over the peasants living in his estate, over irrigation sources, etc., are gone. These powers hitherto exercised by the landlords are transferred to the state. But the peasants do not become landowners, they continue to pay the same or even more exorbitant rents to the state and the landlords continue to get the rents as “compensation” from the state itself. The landlords, instead of exercising their control over the peasants as individual landlords, do so through the state which is a landlord-capitalist state. The peasants lose the rights over forests, tanks and canals, etc., gained from landlords through decades of struggles—they lose them to the state. Thus, under the Congress agrarian reform what the individual landlord loses—the state gains but not the peasants, *in general*.

As to the contradiction between theory and practice: though the theory is fixation of ceilings and dispersal of holdings, the practice is fixation of ceilings for eviction and the result is mass expropriation of the peasantry. Land is being concentrated more and more into the possession of the landlords—their feudal hold is growing in a different way.

Under these conditions, the efforts of the Congress Government for productive development of agriculture through capitalism if possible and feudalism if necessary is bound to be a fiasco.

Lack of industrialisation plays a very big role in this

respect. In the absence of industrial development, pressure of population on agriculture continues to exist. This pressure in the form of rural unemployment gives the landlord always an opportunity to get his land cultivated by labourers at their own costs and risks and get surplus products without bearing capital and cost. Moreover, in the absence of mass production of tractors inside the country, cheaper *irrigation and cheaper credit, cultivation through wage-labour* in the capitalist way remains costly. To this is *added the price of land which is high on account of land monopoly.*

The result is—despite the development of capitalist mode of cultivation here and there to a limited extent—the general mode of production remains outmoded and backward, mediaeval and feudal.

No doubt, it will be clear from a perusal of the account in the previous sections that the Congress agrarian reforms have introduced, under the pressure of the kisan movement, certain changes in tenancy relations with some concessions to certain sections of the peasantry. These concessions include security of tenure for certain categories of tenants—generally excluding the share-croppers from occupancy rights, the right of purchasing proprietorship or occupancy rights and reduction of rent. Despite these changes and concessions, it is also obvious that no radical change has been brought into agrarian relations. Despite “abolition of intermediaries”, landlords with large properties and under-tenants have been preserved; despite security of tenure, tenants-at-will and share-croppers are not being given land or even the right to purchase ownership, the provisions that proprietorship has to be procured with money deprives the majority of even the well-to-do peasants from obtaining the same; despite the professed intentions to reduce rents, rack-renting continues to prevail and even rent enhancement is being planned (West Bengal). The landlords are enabled to evict peasants on a mass scale from a big area of holdings.

Then, what is the purpose of the “land reform” which the Congress Government is introducing? Why do they

incur the displeasure of the landlords for such a reform? What does the Congress gain by this?

Faced with a growing peasant movement and seething agrarian unrest, the Congress Government is in desperate need to smother the fury of the peasants, of dividing them and keeping the danger of an agrarian revolution in check. They also want to make an attempt to see that the absentee landlords cease to be "absentees" and begin to play a productive role in agriculture. Thereby they want to preserve the standard of production and at the same time maintain class peace between the landlords and peasants, by changing the landlords from rent receivers into employers of labourers or share-croppers. Therefore the essence of Congress Government's agrarian reform is to disrupt the unity of the peasant masses by cheating most of them and giving concessions to some. To cap the process, the *bhoodan* movement has been pressed into service in order to give the whole thing an appearance of land distribution.

But the fond hopes of the powers that be will be belied, because the land-hunger of the peasants is not being satisfied, because the burden of rents and taxes is not being substantially reduced, the polarisation between large estates and dwarf holdings and landlessness is not being eliminated. On the contrary, to the detriment of the interests of the entire peasantry, the interests of the landlords as a class is being safeguarded as much as possible under the circumstances.

Indian economy is suffering from a chronic agrarian crisis. It consists in falling production, mass pauperisation of the peasants, vanishing purchasing power of the masses and a widening gap between the prices of industrial goods and agricultural commodities. The declared intention of the Congress Government is to solve this crisis, to raise agricultural productivity in the first instance, because no Government can run the administration through recurring famines, and famines have become a recurring phenomenon in India's national economy.

How far the Government measures, nicknamed "Land

Reforms", can succeed in solving the agrarian crisis can be gauged by a proper appreciation of the causes of famines and food crises in India.

Famines arise out of a number of recurring factors, the most important of them are the following:

(1) Agricultural production is carried on in the most outmoded way, without any help of advanced technique, so that the slightest disturbance in normal weather results in crop failures.

(2) The overwhelming majority of the peasants are so impoverished that they cannot adopt advanced technique in agriculture for want of education, resources and incentive. Land being the monopoly of the landlords, the cream of agricultural wealth is appropriated by them but no contribution is made towards the development of agriculture.

(3) The peasant masses being deprived of landownership, and subject to rack-renting and insecurity of tenure, they are not only unable to make any provisions for the future, but they are turning into a large mass of paupers who become easy victims of the slightest signs of scarcity. What is called "the margin of safety" is rapidly vanishing.

These are the three principal sources of our agrarian crisis. It is not simply a crisis of agriculture, the entire national economy is caught in its grip. It means that:

(1) The problem of industrial development presents a vicious circle. If there is no rapid increase of national savings or capital formation, industrial expansion is impossible. But capital formation is unthinkable without an increase in the purchasing power of the masses. But the purchasing power of the masses can be increased only by rapid extension of production, first of all by industrial expansion.

(2) Growing pauperisation of the mass of the peasants who constitute the majority of the population blocks the road to national economic development; because, it leads to the shrinking of the home market. If the economic conditions of the peasant masses continue to deteriorate, even an increase in industrial production results not in national

prosperity but in a relative over-production and consequent stagnation, or a crisis in our national economy.

(3) So long as land remains the monopoly of big landlords at one pole and the mass of peasants landless at the other, the landed aristocracy always finds it more profitable to squeeze the peasants to get an unearned income than to invest capital in industry or agriculture. Naturally, industry, banking and trade get no nourishment from the recipients of land-rent. Even the revenue resources of the state wither away under the impact of these outmoded production relations.

Expansion of the home market for national industries, agricultural production to assure a normal supply of food and raw materials and self-expanding capital formation—these are the problems which cry for immediate solution. The agrarian measures of the Congress Government are unsuccessful efforts to solve these problems. That they are unsuccessful is proved by the crisis of the First Five-Year Plan. This crisis is characterised by the following features:

(1) The lag between revenues and expenditure is growing menacingly. Out of a total target of Rs. 2290 crores to be spent in 5 years, only Rs. 885 crores have been actually spent in 3 years and out of this amount, only Rs. 657 crores was raised, the rest (Rs. 228 crores) was deficit. The total target for expenditure in Community Projects is Rs. 90 crores in 5 years, while up to March, 1954, only Rs. 9.7 crores have been spent. It follows that the desired capital formation is not taking place.

(2) Every advance in industrial production is creating a serious problem of the market. It is reported that the 5 years' target of cotton textile production has already been fulfilled but the achievement is neither inspiring nor understandable to the masses, because this advance has not resulted in raising the consumption standard of the majority of toilers. In view of the falling purchasing power of the masses, the Government is in constant hunt for an export market to dispose of unsold cotton textile goods, though the people at home remain ill-clothed.

(3) Fulfilment of the Five-Year Plan has become impossible in certain important industries, as in sugar for instance. The target for annual sugar production, under the First Five-Year Plan is 17 lakh tons by 1955-56. In 1951-52, sugar production was stepped up to 13 lakh tons but it has fallen to 10 lakh tons in 1953-54. One of the reasons for this is the fall in the production of sugar-cane and the deterioration of its quality. It is the result of the agrarian crisis, namely the inability of the peasants to get a fair price for cane and facilities for expansion of production, it is the result of the continued rack-renting and insecurity of tenure of the tillers of the soil, it is the outcome of the working out of the Congress brand of land reform. Despite 3 years of pompous irrigation projects, Sindri manure and Community Projects, production in sugar industry falls because agriculture remains shackled to landlordism, notwithstanding the ceremonial "abolitions" and "acquisitions" of zamindaris, sponsored by the Congress Government.

(4) It is reported that both agricultural and industrial production has, on the whole, increased under the Five-Year Plan. But the "increase" is so ineffective that the desired consequences in terms of national economic stability do not follow; on the contrary, the crisis deepens. India is still running a deficit in foreign trade. Our surplus (in foreign trade) of Rs. 4.56 crores in 6 months ended December 1953 has been transformed into a deficit of Rs. 30.17 crores in the subsequent six months ended June 1954.\* As a result, India's sterling balances have been reduced from Rs. 754.33 crores in April 1954 to Rs. 727.38 crores at the end of October, 1954.

(5) Unemployment is growing and the purchasing power of the masses is falling. According to the report of the Planning Commission, India's average per capita national income has grown from Rs. 246.3 in 1950-51 to Rs. 261 in 1952-53. It means a rise of about 5%, while the target under the Five-Year Plan was a rise of 11% by 1955-56. Both the target as well as the achievement are ineffective and

\* The speech of Deputy Minister of Commerce, Mr. Karmarkar, reported in the Statesman, dated Nov. 28, 1954.

illusory. It is ineffective because such a meagre increase under a plan of projects costing Rs. 2,290 crores amounts to paying too much for the whistle. Be that as it may, the increase is illusory because it is not the overwhelming masses of the people whose income has increased, the rise in national income reflects the growing profits of the monopolies and unearned income of the landlords. Impoverishment has grown among the basic masses, this is indicated by the shrinking home market and overproduction in a number of industries.

It follows that despite the much-advertised "progress" of the Five-Year Plan, the crisis of our national economy is deepening because the majority of the people are being impoverished by landlord-economy, and also because foreign capital is sucking up the cream of our productive resources.

The agrarian measures of the Congress Government seek to preserve, as much as possible, a landlord economy by mitigating in some respects the fury of landlord exploitation over certain sections of peasants but landlordism today is so incompatible with economic development that the whole Plan is involved in a crisis. The landlords continue to dominate over the life of the peasantry and over rural economy in a new form under the new measures and the mass eviction of the peasants demonstrates the real face of the so-called agrarian reform.

A real agrarian reform demands that national economy must be got rid of the burdens of landlordism, a clean sweep must be made of it without the shackles of compensation and the surplus land of the landlords, above a specified maximum not exceeding the limit of a rich peasant standard, must be distributed gratis to the landless and poor tillers of the soil. That will be the primary step to overhaul land relations. Landownership must be vested in the peasants and peasant ownership must be protected by the state by means of every necessary aid.

The rent and tax structure must be so overhauled as to enable the peasants to increase their retention powers, so



that the burden is distributed equitably, exempting the sub-marginal producers.

A programme of industrial expansion must be undertaken so that not only the unemployed but also a substantial part of the rural population is absorbed in industry in order that land is relieved of the pressure of population. The further aim of industrial expansion must be to supply the peasants with cheaper goods both for agricultural production and for their own consumption.

The above points sum up the essence of the demands of the kisan movement. But the fulfilment of the above demands means liquidation of landlordism and the domination of British capital. It also means stubborn struggle against the penetration of American capital. But the Congress Government has chosen the path of suppressing the kisan movement by disruption as well as by brutal force. But the kisan movement backed by the entire democratic forces in our country is invincible. Its invincibility is reflected in the very concessions contained in the legislative measures of the Congress Government, not one of those concessions was won without a struggle and not one of those legislative measures can be taken advantage of by the peasants without a struggle against the landlords and the Government.

## Chapter V

### AGRICULTURAL WORKERS

#### 1. CONDITION OF AGRICULTURAL WORKERS

In India there are 17.6 million families of agricultural workers out of 58 million rural families. About half of these families have got tiny plots of land, while the rest are absolutely landless. Possession of little bits of land by the Indian agricultural workers do not vitiate the class character of the agricultural workers as distinct from the peasants, because 64 per cent of the income of those agricultural workers who possess land come from labour performed in land owned by others and only 14 per cent of the income is derived from their own land.

The character of the Indian agricultural workers as a distinct class in rural economy is demonstrated by the fact that, despite the existence of bond slaves, debt serfs and similar elements as a substantial section amongst them, the majority of them hire themselves out as "free-labour" on wages, and in the majority of the cases, money-wages and time-rates prevail. In this respect the following passage from *Agricultural Labour* by Dr. B. Ramamurti, of the All-India Agricultural Labour Enquiry, is instructive:

"By and large, cash payment on time rates was the predominant mode of wage payment of agricultural labourers. In the Indian Union as a whole, for about 95 per cent of wage-days, the agricultural labourer was employed on time rates and the prevalence of cash wage was to the extent of 58 per cent of days. The custom of supplying perquisites was in existence in about 33 per cent of wage-

*days worked. In all the Census Zones of the Indian Union, wages of agricultural labourers were mainly paid in cash on time rates with some variation in the degree of their predominance." (p. 16.)*

*The free peasant, or the serf attached to a landlord's land, does not as a rule hire himself out; but the majority of the Indian agricultural workers do. Cash payment and payment according to the time of work done are characteristics of advanced commodity production, of labour-power as a commodity, provided, the labourer is not bound by any permanent and compulsory attachment to the employer.*

From an analysis of the condition of the Indian agricultural workers, it is possible to speak of them as a distinct class on account of the predominance of wage-labour, and the growth of wage-labour is a reflection of the development of capitalist relations. To avoid misunderstanding two things must be noted: Firstly, the number of agricultural workers in India does not fully represent the degree of development of capitalist relations in India's agriculture, because about 85 per cent of them are casual workers. The regularly employed workers constitute only 15 per cent of the 17.6 million agricultural labour families. This indicates the weak, chequered and undeveloped state of capitalist relations and the predominance of the feudal mode of production. But at the same time it will be wrong to lose sight of the fact that within the womb of feudal land relation, the capitalist mode of production in its elementary form is visible.

There is a wrong impression that agricultural capitalism is synonymous with large-scale cultivation with tractors. No doubt, large-scale cultivation with tractors indicate the full swing of the growth of capitalist cultivation, but capitalist relations begin their appearance before the scale of production increases and tractors are employed. There is, similarly, an opposite misconception, namely, identifying capitalism with commodity production. Commodity production existed even in mediaeval times but there was no capitalism then. No doubt, it is under capitalism that commodity production finds its full development and without

ommodity production there is no capitalism. Then, what is the essence of capitalist relations in agriculture? Lenin says:

"The chief feature and criterion of capitalism in agriculture is wage-labour." (Selected Works, Vol XII, Lawrence & Wishart edition — p. 281)

The fact that 85 per cent of the agricultural workers in India are unemployed for about 5 months, or may be even more, does not refute their character as wage-labour, because they are not tied to land. The unemployment of the industrial workers does not make them cease to be proletarian workers. The fact that 50 per cent of them possess tiny land holdings do not alter the position that their major source of income is wage-labour. On the contrary the predominance of cash payment and time rates (95 per cent of the wage-days in the former case and 58 per cent in the latter) indicate that capitalist relations have been developing. In a backward country like India even the industrial workers contain large sections with some tiny holdings of land, or with casual employment and perennial unemployment.

Nevertheless, the casual character of employment of most of the workers shows that more people are thrown out of land than can be absorbed in wage-work. It means that, under the predominance of feudal relations, the capitalist element in our agricultural economy is rickety. Moreover, the counting of bond slaves and debt serfs among agricultural workers makes the picture indistinct. A good section of them naturally are not the proletarian type of workers but feudal semi-serfs. But these feudal semi-serfs are by no means the majority of the agricultural workers in India.

Shri Surendra J. Patel published the following table regarding the composition of agricultural workers in 1931, in his book, *Agricultural Labourers in Modern India and Pakistan* (p. 148):

TABLE XXV

## SOCIAL COMPOSITION OF INDIA'S AGRICULTURAL LABOUR

Landless agricultural labourers	—	42 million
of which:-		
(a) Bonded labourers	—	3 million
(b) Under-employed labourers	—	35 million
(c) Full time 'free' wage labourers	—	4 million

Neither the bonded labourer (semi-serf), nor the full time free wage-worker constitute the majority of the the agricultural workers, the overwhelming majority is under-employed wage-workers. Thus the agricultural workers in India is a transitional class, indicating the birth of capitalist relations within the womb of semi-feudal agriculture.

Lenin pointed out that the "stimuli to progress in capitalist agriculture are: growth of the population, growth of competition, and growth of industry." (*op. cit.*, p. 38.)

The first factor gives the stimulus to intensive cultivation. This factor is of course present in India. But the growth of competition is hamstrung by landlords' monopoly over land, the consequent dwarfness of peasant holdings and rack-renting. The rack-rented dwarf peasant is unable to compete with the trader who purchases his products because the crops must be sold to meet cash expenses as soon as or even before they are reaped. Naturally, the peasant producer is always the losing party in the exchange between town and country. Even the landlord is not drawn within the orbit of competition because he gets the surplus labour of the peasant without any expenditure on the means of production, i.e., without capital except land. Growth of industry cheapens agricultural implements and other means of production, it also makes unpaid labour in the village very scarce because the town absorbs the surplus population in agriculture. Therefore industrial progress acts as a stimulus to the development of capitalism in agriculture. This stimulus is as yet weak, because the preponderance of British capital in India acts as a check to industrial progress.

Under these conditions, the Indian agricultural workers

are the most exploited and impoverished. In the first place, they suffer from unemployment, because they have almost no land and no work.

The Agricultural Labour Enquiry undertaken by the Government of India has revealed that on an average, the agricultural worker remains unemployed for 100 days and self-employed for 50 days. They are employed on wages in agricultural labour for 189 days and in non-agricultural labour for 29 days. In other words, they are employed for 7 months as wage-labourers. For the remaining 5 months they are either unemployed or employed in their own land if any or on occupation other than wage labour. As 50 per cent of the agricultural workers have absolutely no land, they remain unemployed for 5 months in the year.

This peculiar character of unemployment distinguishes the agricultural worker from the industrial proletariat as well as from the land-holding peasants. As mainly a wage-earner, he stands between the industrial worker and the rural peasant, he is the social link between the two. The peasant represents his past and the industrial worker, his future.

The peasant and together with him the agricultural worker hankers for land and his main struggle is against the landlords, because the landless agricultural workers can get land only by taking it from the landlords without payment. Therefore, the agricultural workers, unfettered by tenancy relations is the most militant class in the village against feudal landlordism. It is the common experience of the kisan movement that the agricultural worker stands at the forefront of every section of the peasantry, because his first and foremost struggle is for land.

Next to land, or together with it, comes the demand for work. No Five-Year Plan is worth its name if it does not promise work for at least a substantial section of agricultural workers. The First Five-Year Plan and the land reforms under the Congress Government contain very little scope for work to the agricultural worker. It is admitted by Shri C. D. Deshmukh, the Minister of Finance, that "the

Five-Year Plan had only provided for absorption of some 400,000 men from the rural areas into industry. This was too low a figure to relieve rural unemployment." (Speech in Parliament, December 20, 1954)

The result is that the average agricultural worker lives on the verge of pauperism.

The fight for higher wages and better living is one of the most urgent issues before the agricultural workers. The extent of exploitation and inequity to which they are ready victims is clearly expressed in the following account:

"The total income of all the agricultural labour families in the Indian Union could be estimated at Rs. 790 crores. According to the final report of the National Income Committee (1954), the national income for 1950-51 was Rs. 9,530 crores. The income of agricultural labour families who formed 22.7 per cent of the total number of families in the Indian Union, accounts for only 8.3 per cent of the national income." (Dr. B. Ramamurti, *op. cit.*, pp. 29-30)

According to the same report mentioned above this was only Rs. 104 as against a per capita income of Rs. 264. These facts express the gross inequality of distribution and brings to the forefront the question of fair wages for the agricultural workers. The pay of the agricultural worker is lower than the industrial worker, the wages of plantation labour being the lowest.

The following chart shows the difference:

TABLE XXVI  
PER CAPITA INCOME OF AGRICULTURAL AND  
INDUSTRIAL LABOUR FAMILIES  
(Annual income *per capita* in rupees)

State	Agricultural labour family 1950-51	Industrial family (1950)	Percentage of (1) to (2)
	(1)	(2)	
West Bengal	160	268	59
Bihar	119	332	36
Madhya Pradesh	87	262	33
Orissa	79	145	54
Punjab	121	216	56
Bombay	88	368	24

(B. Ramamurti, *op. cit.*, p. 30)

The per capita income of the agricultural worker is the highest in West Bengal and lowest in Orissa. The per capita income of industrial worker is the highest in Bombay and the lowest in Orissa. The percentage of the per capita income of the agricultural worker to the industrial worker is the highest in West Bengal and lowest in Bombay. It follows that from the point of view of earning, the West Bengal's agricultural worker is relatively better. It may be partially accounted for by the industrial development of the State but Bombay is also industrially developed, yet the wages of the agricultural workers in Bombay are very low. One important reason may be the fact that the rate of rent of the occupancy tenants is lower in West Bengal than Bombay, therefore the peasant employer can afford to pay relatively higher wages to the agricultural workers.

This raises the importance of peasant movement to the agricultural worker. The more the peasant succeeds in reducing the peasants' rent and gaining security of tenure, the greater the chance for the agricultural worker to get higher wages. Besides, the class organisation of the agricultural workers, their unity and struggle against the landlord-employers will lead them forward to higher wages.

We have seen that the agricultural worker is worse off than the industrial worker. But the agricultural worker is also worse off than other rural people.

The per capita annual expenditure of agricultural labour families is Rs. 107 as against Rs. 204, the corresponding figure for all rural families. The agricultural labour family spends 85 per cent of the expenditure for food while other rural families 74 per cent, a little less than the former. This indicates that the latter is economically better off than the former. On clothing the agricultural labour family spends 6.5 per cent of its total annual expenditure while other rural families 13.4 per cent.

The above account gives a picture of the Indian agricultural worker as the most impoverished person in India, besides the plantation worker. The history of the kisan



movement has shown him as the most militant champion of it.

## 2. THE LANDLORDS' OFFENSIVE

We have pointed out elsewhere that the so-called "land reform" has synchronised with mass evictions of tillers from land. We have already indicated in an earlier section that the land acts of the Congress Government are so designed to serve the interests of the landlords and that the share-croppers, under-tenants and in some cases even occupancy tenants are being driven out of land by clever stratagems as well as by the application of brute force. This violent offensive of the landlords has been spelling disaster in the countryside and this new crisis ranks on the same level as the great Bengal Famine of 1943 in so far as the poor peasants are concerned.

What are the causes that have given the impetus to this mass eviction?

The Twelfth Session of the All-India Kisan Sabha held at Moga correctly summed up the situation in the following words:

"A concerted and pernicious offensive is being carried on all over India by landlords, supported by the Government, who are driving out peasants from lands they have been tilling....

"The present eviction drive is a part of the tactics resorted to by the landlords in order to deprive the peasants of even the limited rights won by them through the land legislation of the various States.

"The Government itself is utilising the outmoded Land Revenue Regulations and Rules framed in the last century, as well as the Forest Regulations, to throw out the peasants from land."

The resolution further says:

"And in all these nefarious activities, the landlords instead of being checked by it, get the full support from the Government machinery against the interests of the peasants, which shows that both in regard to legislation and administration the policy of the Congress Government is designed to serve the interests of landlords, against those of the peasants."

How do the landlords take the advantage of the ten-

ancy acts passed by the Congress Government under the title "Land Reform" ?

In theory, the policy of the Planning Commission is to fix an upper limit to landholdings so that the surplus can be taken over for distribution to the peasants (not without payment, of course).

In practice, high limits have been put on the holdings by the tenancy reform acts not for taking the surplus for distribution, but to empower the landlords to evict the peasants in order to resume the same for self-cultivation, i.e., cultivation by employing labour, servants and tenants-at-will or share-croppers.

The right to resumption for self-cultivation would be justified only in case of the lower strata of landowners who are merely technically "intermediaries" but actually a part of the toiling people whose earnings from land is not at all sufficient to maintain their families. In this respect, the right of resumption for self-cultivation is permissible only from an area not exceeding the actual minimum need of the owner, provided self-cultivation is really needed and really resorted to. But the land acts of the Government have set high limits or permitted eviction from unlimited areas. In Bombay, the landlords are empowered to evict the tenants from an area up to 50 acres, in Orissa from 33 acres, in Punjab from 30 standard acres (50 standard acres in case of evacuee land), in Uttar Pradesh from 8 acres, in Hyderabad—5 times the family holding\* and in Rajasthan—75 acres (unirrigated land). In West Bengal, Bihar, Assam and Madras, no such limit has been set but the Acts expressly empower the landlords to evict tenants if they are in need of the land for self-cultivation and also on other grounds such as, if the land has been damaged, if rents have not been paid in time and so on.\*\* In these States, "the landlords, therefore, retain the right to eject all or any tenants on the ground of personal cultivation." (H. D. Malaviya, *op. cit.*, p. 451)

\* See Appendix III.

\*\* See Appendix IV.

An interesting account of the interweaving of paradise gained and paradise lost under the land reform schemes of the Government of Pepsu, is as follows:

In Pepsu, under the Occupancy Tenants (Vesting Proprietary Rights) Act, 1953, 1,30,000 acres of land have been obtained by 24,000 occupancy tenants as "full owners" on the terms to pay a compensation of 12 times the land revenue, the total amount being computed at Rs. 24,23,000; but only Rs. 14,82,893 have been realised by the Government despite its best efforts to collect the full amount. Tenants who had been evicted in the past from land, in occupancy tenant villages, have occupied large areas, which were once theirs, and are sticking to them taking advantage of the Occupancy Tenants' Act. But the District Commissioner has declared the action of those peasants as "unauthorised occupation" and the threat of eviction hangs over them.

Almost in every State two opposite processes are visible; on the one hand, occupancy rights on payment of a price for it are being offered to those tenants who can pay, on the other hand, the poorest of the peasants are being evicted and the landlords are allowed to exploit them in the best way profitable to them.

There is certainly a method in this madness of the Government's policy, which is in the final analysis, a landlord-capitalist policy. It divides the ranks of the peasants, it gives concessions to some and subjugates others more firmly to the landowning sharks. The aim of the reform appears to be to create fair-sized farms for paving the road to capitalist mode of cultivation by transforming the semi-feudal landlords into capitalist *entrepreneurs*, but not by giving land to the tillers. Had it been a policy of giving land to the tillers—the first thing the Government would have done was to stop evictions by resorting to drastic measures.

Thus "Land Reform" and "Eviction Offensive" go side by side, and the land acts themselves contain provisions which either empower or instigate evictions.

On this subject, the following account of Shri Harkishen

Singh Surjeet, a prominent leader of the Punjab kisans, is very instructive:

"(1) Security of Tenure Acts do not apply to a vast number of landholders who resort to evictions at their free will.

"(2) In those States where the Security of Tenure Acts apply, they contain such provisions as enable the landlords to resort to large-scale evictions and not restoration of tenancy. They are: (a) occupancy rights are not given in most of the legislations, so the peasants have no absolute right of cultivation; (b) rights of landlords are guaranteed over lakhs of acres of land in the name of *sir*, *khud-kasht*, *khas*, etc.; (c) provision for resumption for 'self-cultivation' is defined in such a way that absentee landlords are able to acquire land in this way. And the permissible limit is so high that majority of the landlords get the largest portion of their land for 'self-cultivation', from which they evict the tenants; (d) rights of landlords to sell or transfer their lands are accepted. This enables them to avoid all the provisions of Tenancy Laws." (*Stick To The Land!*, pp. 3-4)

The author points out four other methods of eviction, namely, right of landlords to collect arrears of rent, right to eject on non-payment of rent, false entries in the land records and forcible ejectments.

Besides the above, organised fraud backed by force with the full consent of the ruling authorities is also being practised to evict the peasants, particularly the under-tenants and share-croppers. In West Bengal, the *jotedars* are getting what is known as *majur kabuliyats* signed by share-croppers. The *majur kabuliyat* is a declaration of the share-cropper abandoning his status as 'share-cropper' and accepting the position of a labourer. In the declaration it is expressly mentioned that he is tilling the land with the implements, etc., of the landlord. The most monstrous part of the sordid deal is that the signature or thumb impression of the share-cropper is often taken on blank papers and the contents are written down by the landlord afterwards according to his sweet will.

The above-mentioned clever stratagem is resorted to for the purpose of evading two Acts—the Bargadar Act which authorises the administration to stop eviction under certain conditions, and Chapter VI of the Estates Acquisition

Act which lays down that land cultivated by share-cropper or *thika* tenants may be limited to 33 acres and the surplus above that may be taken over but which puts no limitation on *sir* land cultivated by agricultural workers. Both these Acts are the result of a powerful kisan movement. Armed with *majur kabuliyats*—the landlord continues to get the land cultivated by the same share-cropper but giving him a share less than what the Baragadar Act provides for him. The document enables the *jotedar* to evict the share-cropper whenever he likes. It is his trump-card in settlement operations to prevent the title of the share-cropper being put on the records.

The Government regards *majur kabuliyat* as a “voluntary contract” between the landlords and tenants. In other words, frauds practised by landlords cannot be stopped under the land laws of the Congress Government.

In reply to a representation on behalf of the share-croppers of West Bengal, the West Bengal Government pleaded that under the existing laws the *majur kabuliyat* cannot be declared illegal. On being pressed by the deputationists to enact laws for this purpose, the same authorities pleaded that under the existing Constitution of the Indian Republic, such laws cannot be valid. If they were pressed further for amending the Constitution so that landlords’ fraudulent efforts could be prevented, they might have replied that under the existing social system such a change could not be made in the Constitution.

But the struggles of the peasantry can achieve what is denied by the ministers and bureaucrats. Such struggles have enabled the peasants to stop eviction and stick to the land in thousands of cases. Shri Harkishen Singh Surjeet sums up this struggle in the following words:

“As a result of these widespread struggles and resistance, the united movement of the peasants has achieved important victories. For instance, in Bengal and Andhra, the Congress Governments were forced to issue ordinances which, though they are partial and contain serious defects, have been taken advantage of by the kisans, wherever they are organised, in checking the eviction offensive to a large extent and restoring lands to thousands of evicted kisans. In

Uttar Pradesh, the Government had to issue an order for a revision of land records which the peasants demanded in order to get the false entries in revenue records corrected. In the Punjab, the Sachar Ministry was compelled to issue an Ordinance to stop evictions. In Madhya Bharat, more than 4,000 eviction notices have been withdrawn. In Bihar, peasants temporarily succeeded in checking evictions from more than 50,000 acres. In Assam, in many cases, the Government had to pass stay orders against evictions. Similar victories were achieved in Malabar, Tamil Nad, Travancore-Cochin and Telangana." (*op. cit.*, p. 12)

The experience of these struggles has shown that the policy of the Congress Government, designed to serve the interests of the landlords, can be defeated by the organised struggles of the peasantry, by forging their unity and by winning the support of the wider democratic movement. Through these struggles occupancy rights must be won for all under-tenants and tenants-at-will.

Evictions made through all kinds of stratagems must be nullified and the false entries in settlement records must be corrected, the rights of all under-tenants, tenants-at-will, etc., including share-croppers must be duly entered in the records of rights. To achieve these, the peasants must unite their ranks and neutralise the small owners accepting their right to resume for self-cultivation a specified area so that they can organise the struggle to *Stick to the Land!*

### 3. LAND TO THE PEASANTS

It has been stressed again and again in the earlier chapters that distribution of land to the peasants is the most crying need of the day—if our national economy is to be saved from the whirlpool of crisis.

From the Government side it is pointed out again and again that land in our country is scarce, that land-distribution will not take us very far. These arguments are used to conceal the real meaning of Government policy. It is claimed that their policy is to fix up the upper limit of landlords' land and distribute the surplus to the peasants. But the practice is, as we have already seen, to allow the landlords to increase their holdings by evicting the tenants.

If there is not enough land for distribution, why is the Government policy claimed as one of 'distributing land to the peasants'? The truth is that the Congress Government deceives the peasants and refuses to adopt the policy of giving land to the peasants. The best proof of this charge against the Congress Government is this: even the Planning Commission, which is the most outspoken body for fixing a ceiling on landholdings, proposes that the surplus land thus available must be sold and not distributed gratis. Distribution of land to the peasants without payment is altogether ruled out.

We have seen in an earlier chapter that most of the rich peasants in U.P. were unable to purchase occupancy rights. If that is so, it is stupid to imagine that the poor share-croppers and agricultural workers will be able to purchase land from the Government even at concession prices. If land is sold, it will be purchased only by well-to-do elements, whose holdings are below the ceiling, when a ceiling is fixed.

The answer to the argument that there is not enough land is clear and simple. Nobody claims that redistribution of land, by itself, will solve all problems and nothing else needs to be done. But the very starting point of land-reform and national development projects must be to redistribute land to the peasants without payment by fixing a ceiling on landlords' holdings and taking the surplus from them without compensation. By so doing, land would certainly be available for distribution as we have seen in the chapter on 'Land Monopoly'. Naturally, the ceiling must not be so high as to preserve land monopoly, it must be such as to make at least the major part of the lands belonging to the landlords as a class available for distribution. In that case land-monopoly will be broken and peasant economy will be liberated from the domination of large estate holders. In that case each individual landlord may not keep more than what is essential for his family to live on the standard of a rich peasant.

It can be achieved only by the unity of the peasantry—

but the most stubborn struggles will have to be fought by the poor peasants and agricultural workers, because it is their existence that is threatened by the Government policy and landlords' offensive. But even the well-to-do and the middle peasants will not escape from the sword of Damocles hanging over the entire peasantry. The rich peasant of today is the poor peasant of tomorrow and the poor peasant today is the rich peasant of yesterday. The upper strata of the peasantry, through generations, has been losing land and it shall continue to do so until there is a gigantic progress of industrialisation; complete overhauling of the tax structure, radical improvement in its bargaining power to fetch just prices for its crops and rural credit becomes as cheap and as abundant as commercial credit. Under the "Reforms" and "Projects" of the Congress Government, the peasants are under the mounting taxation to finance projects which will not give them abundant consumers' goods at reasonable prices. The gap between the prices of raw materials which the peasants sell and the products which they purchase is widening. For arrears of rent and taxes, this land will be seized by the state and sold up. Unity of the entire peasantry is the logical outcome of this state of affairs.

Having redistributed land to the peasants, the state shall have to undertake a gigantic programme of industrialisation at a rapid rate to root out unemployment, both urban and rural. In order to evade this task, the Government slogan is—*Family Planning!* They want to evade this task, because its fulfilment demands that the monopoly of British capital must be broken. Occupying a key position in banking, major industries and foreign trade, British monopolists eat up huge resources essential for capital formation. Petty targets of pigmy schemes will not change the situation even if they are fulfilled ahead of schedule. Besides eradicating urban unemployment, the surplus population from land must be absorbed in industries. It can be done by taking over the banks and industries belonging to the British monopolists. Land must be



relieved of congestion and to get it done, industries must be developed on a very large scale. Then alone, land reform will produce the desired results.

To begin with—land must be taken from the landlords and given to the peasants, so that the rot is stopped at its very source. It will at once arrest rural pauperisation and set the ball rolling for expansion of the home market, for an upsurge of agricultural production, for genuine cooperatives required for rational cultivation.

As a part of their schemes of land reform, the Government has a programme of cooperative farming. Almost in every State, Estate Acquisition Acts and Land Reform Laws make provisions for cooperatives. But cooperatives in order to be genuine must satisfy the following conditions:

(1) All the peasants including the under-tenants, tenants-at-will and share-croppers get full occupancy rights or full proprietorship. If they remain where they are, the cooperatives will only become corporate monopolies of landlords to exploit them more intensively than ever before. Cooperatives must be distinguished from corporate monopolies. One is based on mutual aid, while the other on exploitation of one class by another.

(2) The gap between a large estate and a dwarf holding must be so reduced as to make the cooperatives function as cooperatives of equal partners. The so-called cooperative of a giant and a dwarf is bound to become reduced to a joint stock corporation in which the strong seek to dominate over the weak, and rivals enter into a free fight to weed out one another. That is against the basic principles of cooperation.

(3) The state must be in possession of plants for mass production of up-to-date agricultural machinery, so that they can be supplied to the peasants at moderate charges. Imports of machinery from foreign countries can never be abundant and will always be too costly.

(4) Agricultural cooperatives must get abundant credit at normal bank rates.

(5) A State Trading Corporation for the marketing of products at reasonable prices is essential for planned development of industry and agriculture, particularly for agricultural cooperatives.

By fulfilling the above conditions, the people can develop a gigantic movement to build up agricultural cooperatives step by step, for a real upsurge of agricultural production.

A real land reform must contain these genuine and effective steps for cooperative development. In order that this co-operation begins, all the peasantry must be in possession of the means to cooperate with one another and the basic means is land. Landownership must be given to the peasants and this ownership must be protected by law.

Another question, how land will be distributed, is also of supreme importance. The land acts of the Government provide for Gaon Panchayats vested with powers to deal with land questions. In order to examine whether land-distribution through these institutions will serve the interest of the peasants, we must first examine their character.

#### 4. VILLAGE PANCHAYATS

In Uttar Pradesh the Panchayat Raj Act was passed in 1948. According to this Act, the Panchayats are of two kinds: (1) Village Panchayats, and (2) Adalti Panchayats.

The Gaon Panchayat is elected by the entire village population, elections to the Adalti Panchayats are also held on the basis of adult franchise. The latter is vested with the powers of the village judiciary.

On the face of it, the Panchayat looks like a democratic institution and it appears that it can be vested with land-administration without prejudice to the interests of the peasantry. But on closer examination such an impression turns out to be an illusion. The following are the main reasons:

Firstly, the landed gentry in the village, the money-lenders and their agents remain in possession of economic power to dominate over the peasants. Naturally, economic

power makes them socially influential to control the Panchayats in a way suited to their own interests.

Secondly, orders have been issued (e.g., in U.P.) to the effect that those who belong to political parties with "controversial" policies are not eligible for the position of a Panch, i.e., a member of the Panchayat Board. This is an insurmountable barrier against the representatives and class-conscious elements of the peasants, while the landlords and their supporters, ostensibly standing aloof from politics but really serving the politics of the landlords are easily eligible for these posts.

Thirdly, the secretaries who really conduct the affairs of village administration are appointed by the Government and the Panchayats have no powers of control over them. They become the real bosses over the Panchayats, instead of their servants.

Fourthly, over the secretaries stand the Panchayat Raj Inspectors, and above them is the Panchayat Raj Officer. The influence and authority of these bureaucrats over the Panchayats are so supreme that in Uttar Pradesh many elected Gaon Panchayats have been dissolved and re-elected according to their own wishes; they do not re-elect the Panchayats where they are not sure of having their own stooges getting elected.

In theory, the Gaon Panchayats are organs of democratic institutions at the bottom, but in practice, behind the facade of Panchayat Raj, the bureaucrats reign supreme and the bureaucrats are as a general rule, the agents of the landlords.

The Panchayats can be brought to the service of the people only by fighting the domination of bureaucrats, by making them really democratic institutions, by the organised kisan movement. Land distribution by the Panchayats, until those conditions are fulfilled, will deprive the poor peasants whose land-hunger is the most acute.

Andhra presents a good illustration. The Andhra kisan movement exerted such a strong pressure on the Government for the distribution of fallow land to the agricultural

workers that the Government was ultimately forced to accept the demand and pass an act. But then in the end the Government proceeded to do just the opposite of what was demanded. In the first place, they decided to distribute the land to "political sufferers" instead of to agricultural workers and "political sufferers" in Congress parlance, means Congressmen, the kith and kin of ministers and leaders who alone are supposed to have "suffered" in the past. Secondly, fallow land, occupied by agricultural workers long before the new act was passed, was also taken away by the Government and handed over to the "political sufferers." In other words—land was taken from agricultural workers and poor peasants and handed over to the landlords and rich peasants or used for the purpose of political disruption in the village.

It follows that distribution of land after taking the landlords' surplus over the maximum ceiling fixed, will not be distributed to the peasants if they are not put at the disposal of democratically elected peasant committees vested with full powers without any overriding authority of the bureaucrats. Agrarian reform carried out by bureaucrats is bound to be a fiasco even if some good words are put in the provisions of law. The real agrarian reform has to be carried out by the peasants themselves through democratically-elected peasant committees.

## *Appendix I*

### SCHEMES OF COMPENSATION

#### A. UTTAR PRADESH

<i>Categories of intermediaries according to Land Revenue</i>	<i>Multiple of net assets to be awarded as re- habilitation grant.</i>
Up to Rs. 25	20
Exceeding Rs. 25 but not Rs. 50	17
" Rs. 50 " " Rs. 100	14
" Rs. 100 " " Rs. 250	11
" Rs. 250 " " Rs. 500	8
" Rs. 500 " " Rs. 2,000	5
" Rs. 2,000 " " Rs. 3,500	3
" Rs. 3,500 " " Rs. 5,000	2
" Rs. 5,000 " " Rs. 10,000	1

#### B. WEST BENGAL

<i>Net Income</i>	<i>Amount of compen- sation payable.</i>
For the first Rs. 500 or less	20 times
" next Rs. 500	18 "
" " Rs. 1,000	17 "
" " Rs. 2,000	12 "
" " Rs. 10,000	10 "
" " Rs. 15,000	6 "
" " Rs. 17,000	3 "
" " Rs. 80,000	3 "
" the balance	2 "

## C. ORISSA

<i>Amount of Net Income</i>	<i>Rate of compensation</i>
1. On the first Rs. 500	20 times
2. " next Rs. 2,000	15 "
3. " " Rs. 2,500	10 "
4. " " Rs. 5,000	5 "
5. On the balance	3 "

## D. MADRAS

<i>For the basic annual sum*</i>	<i>Rate of Compensation</i>
1. Not exceeding Rs. 1,000	30 times such sum
2. Exceeding Rs. 1000 but not Rs. 3000	25 times such sum or Rs. 30,000 whichever is greater.
3. Exceeding Rs. 3,000 but not Rs. 20,000	20 times such sum or Rs. 75,000 whichever is greater.
4. Exceeding Rs. 20,000 but not Rs. 50,000	17½ times such sum or or 4,00,000 whichever is greater.
5. Exceeding Rs. 50,000 but not Rs. 1,00,000	15 times such sum or Rs. 8,75,000 whichever is greater.
6. Exceeding Rs. 1,00,000	12½ times such sum or Rs. 15,00,000 whichever is greater.

\* The Basic Annual Sum is to be determined by the Director of Settlements.

## E. BIHAR

<i>Amounts of Net Income</i>	<i>Rate of Compensation</i>
1. Not exceeding Rs. 500	20 times
2. Exceeds Rs. 500 but not Rs. 1,250	19 times but not less than the maximum amount under (1)
3. Exceeds Rs. 1,250 but not Rs. 2,000	18 times but not less than the maximum under (2)
4. Exceeds Rs. 2,000 but not Rs. 2,750	17 times but not less than the maximum under (3)

<i>Amounts of Net Income</i>	<i>Rate of Compensation</i>
5. Exceeds Rs. 2,750 but not Rs. 3,500	16 times but not less than the maximum under (4)
6. Exceeds Rs. 3,500 but not Rs. 4,250	15 times but not exceeding the maximum under (5)
7. Exceeds Rs. 4,250 but not Rs. 5,000	14 times but not less than the maximum under (6)
8. Exceeds Rs. 5,000 but not Rs. 10,000	10 times, but not less than the maximum under (7)
9. Exceeds Rs. 10,000 but not Rs. 20,000	8 times but not less than the maximum under (8)
10. Exceeds Rs. 20,000 but not Rs. 50,000	6 times but not less than the maximum under (9)
11. Exceeds Rs. 50,000 but not Rs. 100,000	4 times but not less than the maximum under (10)
12. Above Rs. 100,000	3 times but not less than the maximum under (11)

### *Appendix II*

## THE WEST BENGAL ESTATES ACQUISITION ACT, 1953

### *Chapter VI*

#### Acquisition of Certain Khas Lands and Rent-Receiving Interests

(Including the Amendments incorporated in 1954)

**Section 49.** The provisions of this Chapter shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

**Section 50.** For the purpose of this Chapter the following classes of persons, not being intermediaries within the meaning of clause

(i) of section 2, shall be deemed to be intermediaries within the meaning of this Act, namely:—

(1) Persons who hold lands which they cultivate by *bargadars* as defined in the West Bengal *Bargadars Act*, 1950, or which they do not cultivate themselves or by members of their families, or by servants or labourers.

(2) Persons who have sub-let their holdings in part or in whole.

**Section 51.** (1) If the State Government is of opinion that it is expedient so to do, it may by notification in the *Official Gazette* declare that as from a date specified in the notification (herein-

after referred to as the date of vesting), in any notified area specified in the notification—

- (a) so much of the *khas* lands of persons referred to in clause (1) or (2) of section 50 which on the 5th day of May, 1953 or any date subsequent thereto they cultivated by *bargadars* as defined in the West Bengal *Bargadars* Act, 1950 or which they did not cultivate themselves or by members of their families or by servants or labourers, and
- (b) the rent-receiving interests of persons referred to in clause (2) of section 50

shall vest in the State.

Explanation. — “rent-receiving interest” in clause (b) means the interest of the person in a holding to the extent he has sub-let it.

- (2) Notwithstanding anything contained in sub-section (1), a person whose lands vest in the State under that sub-section, shall be entitled to retain *khas* lands not exceeding thirty-three acres in the aggregate, including any land which such person may have retained under the provisions of clause (d) of sub-section (1) of section 6, as a tenant under the State Government, on the same terms and conditions as he was holding such *khas* lands immediately before the date of vesting.

**Section 52.** (1) Provisions of Chapters II to V and of Chapter VII shall, with such modifications as may be necessary, apply *mutatis mutandis* to *khas* lands referred to in clause (a) of sub-section (1) of section 51 and rent-receiving interests referred to in clause (b) of that sub-section as if the notification under that section had been a notification under section 4.

- (2) In construing the provisions of sub-section (1), reference to intermediaries as defined in this chapter and the reference to the expression ‘twenty-five acres’ in the proviso to clause (ii) of sub-section (7) of section 5 (a) shall be construed as reference to the expression ‘thirty-three acres’.

### *Appendix III*

## THE HYDERABAD TENANCY AND AGRICULTURAL LAND (AMENDMENT) BILL OF 1953

### *On Resumption for Personal Cultivation by the Landlords.*

“According to the existing legislation, the extent of land which a landlord can resume for personal cultivation from a protected tenant is 5 times the economic holding. This has been reduced thus:



- “(i) 3 times the family holding provided that each tenant of the landowner is left with a family holding.
  - “(ii) 2 times the family holding, provided each tenant is left with a ‘basic holding’, (i.e., 1/3rd of the size of a family holding).
  - “(iii) A landlord can resume up to a family holding irrespective of whether any land is left to the tenant or not.
- “It has been provided that the right of a landowner to terminate the tenancy of a protected tenant shall terminate after 5 years.”  
(H. D. Malaviya, *op. cit.*, pp. 288-9)

*N.B.* A ‘family holding’ has been defined as an area which can be cultivated by a working family of 5 members as a plough unit, and which yields a net annual income of Rs. 800. (*Ibid.*, p. 287)

### Appendix IV

### WEST BENGAL BARGADARS ACT

#### *Provisions for Legal Eviction*

#### Section 5.

(1) The owner of any land cultivated by a *bargadar* shall not be entitled to terminate the cultivation of such land by the *bargadar* except on one or more of the following grounds, namely:

- (a) that the owner requires the land *bona fide* for cultivation by himself or by members of his family or by servants;
- (b) that the *bargadar* has misused the land or has wilfully neglected to cultivate it properly;

**Explanation:-** If the produce of any land cultivated by a *bargadar* in any year is unduly below the produce in the same year of similar and similarly situated lands in the vicinity, the *bargadar* shall be deemed to have wilfully neglected to cultivate the land properly;

- (c) that the *bargadar* has failed to deliver to the owner within the prescribed period at least that share of the produce to which the owner is entitled under paragraph (b) of clause (2) of section 3;

or

- (d) that the *bargadar* has failed to comply with any award or order of a Board or of an Appellate Officer, as the case may be, within the time allowed by the Board or by the Appellate Officer;

Provided that the cultivation of such land by a *bargadar* shall not be terminated on any grounds except under the order of a Board.

(2) Where the cultivation of any land by a *bargadar* is terminated under clause (a) of sub-section (1) and the land is not cultivated by the owner himself or by members of his family or by servants within one year from the date of such termination or the land having been so cultivated is allowed to be cultivated by another *bargadar* within five years from such date, the *bargadar* first mentioned shall be entitled to be restored to the cultivation of the land by him and shall also be entitled to compensation payable in money not exceeding the actual loss sustained by him in consequence of his being prevented from cultivating the land during the period between the termination of and the restoration to cultivation of the land by him.

### *Appendix V*

## WEST BENGAL ORDINANCE NO. V OF 1954

### *(Provision Against Eviction)*

#### Incorporated in the West Bengal Bargadar Act.

(1) Where the owner of any land has, whether before or after the commencement of the West Bengal Bargadars (Amendment) Ordinance, 1954, terminated or caused to be terminated the cultivation of the land by a *bargadar* in contravention of the provisions of sub-section (2) or sub-section (3) of section 12, the *bargaadr* may apply to the Sub-divisional Magistrate within whose jurisdiction the land is situated for the restoration to cultivation of the land and such Magistrate may, after giving an opportunity to the owner of the land of being heard, order the restoration to cultivation of the land by the *bargadar* and enforce such order.

(2) If, after the commencement of the West Bengal Bargadars (Amendment) Ordinance, 1954, the owner of any land terminates or causes to be terminated or attempts to terminate the cultivation of the land by a *bargadar* in contravention of the proviso to sub-section (1) of section 5 or the provisions of sub-section (2) or sub-section (3) of section 12, he shall be guilty of an offence punishable with fine or with imprisonment which may extend to six months or with both.

(3) An offence under sub-section (2) shall be cognizable and bailable.

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